

Mr. Ferguson: Not even if they disappear.

Mr. SEWARD: The goods sheds are usually locked, and every reasonable care is taken by the railway officials to safeguard the goods while in their possession. We know full well, however, that people in the country are not aware of when the goods will actually arrive. In my district the railway officials communicate with the consignee if he is on the telephone, and inform him that the goods have arrived, but many consignees are not in that position, and the railways authorities cannot get in touch with them. In consequence, the goods are stored until the consignees can be informed of their arrival, but should anything happen to those goods, the Commissioner will accept no liability. That is wrong. The regulation is particularly inadvisable when we have regard to the position of the railways respecting freights. Last week a farmer told me that he had despatched some eggs by rail. When he got his returns, he found that a deduction had been made for breakages. He could not account for it, and on the second occasion when he despatched the eggs by rail, his returns again showed a deduction for breakages. Since then he has sent his eggs down by motor truck, and no damage through breakages has been experienced. If the Commissioner refuses to accept liability, it will simply drive traffic away from the railways altogether. We do not expect the Commissioner to do anything extraordinary, particularly when breakages occur that could not have been prevented by the exercise of ordinary care. We would not always expect the Commissioner to be responsible, but if the evasion of responsibility is to be carried to the extent indicated in the regulation, the result will be that freight will be withdrawn from the railways and diverted to other means of transport. If the amendment to the regulation be insisted upon, a hardship will be worked in country districts.

On motion by the Minister for Railways, debate adjourned.

House adjourned at 8.30 p.m.

Legislative Council,

Thursday, 7th December, 1933.

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The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

MOTION—ADDITIONAL SITTING DAY.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [4.35]: I move—

That during the month of December the Council shall meet for the despatch of business on Fridays at 4.30 p.m., in addition to the days already provided.

It is necessary for the House to agree to the motion if we are to close the session before Christmas. From what I can understand after conversation with several members, that is the desire. We have six more sitting days only available to the 21st December and if the motion be agreed to, there will be two additional sitting days. I trust members will agree to that course being followed. If the session were to extend into the New Year, it would probably continue unduly. There are ten members of the Council standing for re-election and all will admit it is necessary that they should be in their electorates as soon as possible after the end of the present year.

HON. C. F. BAXTER (East) [4.37]: I do not desire to discuss the motion, but I would like to ask the question: Can this House sit next year? I think the Standing Orders were amended so that that would not be possible.

The PRESIDENT: I think I can inform Mr. Baxter that there is nothing in the Standing Orders prohibiting the House from sitting in the New Year. A resolution was passed by the Council some years ago in opposition to the House sitting for some period prior to biennial elections. I think

probably that is the matter the hon. member has in mind.

Hon. C. F. BAXTER: Thank you, Mr. President; that is probably what I was thinking about.

Question put and passed.

MOTION—STANDING ORDERS SUSPENSION.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [4.39]: I move—

That during the month of December, so much of the Standing Orders be suspended as is necessary to enable Bills to be put through all stages in one sitting, and all messages from the Legislative Assembly to be taken into consideration forthwith; and that Standing Order No. 62 (limit of time for commencing new business) be suspended during the same period.

This is the usual motion submitted towards the close of a session. It has been presented somewhat later this year than is customary, because there previously was no reason for it to be submitted. If members grant me the power I seek, I will exercise it with discretion. Personally, I am opposed to rushing through any Bill that contains several amendments. I will take every precaution and will consult members regarding any important Bill before I attempt to exercise the powers covered by the motion.

HON. J. NICHOLSON (Metropolitan) [4.41]: I am glad the House has received the assurance of the Chief Secretary. It is one that we would expect from him. He has informed us that he will not unduly rush measures through the House, even if we agree to the motion. That is only fair. I mention that point because some important Bills are already on the Notice Paper and others are likely to come before us. I would instance the State Transport Co-ordination Bill, which will involve a good deal of discussion because of the multiplicity of diverse interests concerned. I trust the fullest opportunity will be given for the discussion of that and other important Bills so that they may receive the consideration that this House is accustomed to extend to legislation.

Question put and passed.

BILL—FIRE BRIGADES ACT AMENDMENT.

Further Report.

Further report of Committee adopted.

Third Reading.

Bill read a third time and returned to the Assembly with amendments.

BILL—LOTTERIES (CONTROL) ACT AMENDMENT (No. 2.)

Personal Explanation.

The PRESIDENT: I understand that Mr. Holmes desires to make a statement to the House. Under Standing Order 390, no member is allowed to allude to any speech made in Committee except by the indulgence of the House. Is it the wish of the House that the hon. member be heard in explanation of statements made in Committee? There being no contrary voice, Mr. Holmes may proceed.

Hon. J. J. HOLMES: Last night the Honorary Minister took me to task for something that he stated I had said in discussing the Lotteries (Control) Bill. According to "Hansard" the following took place:—

The Honorary Minister: I take strong exception to the remark made by one hon. member who said he would not agree to the Government fleching money from the indigent sick. There has never been any such intention.

Hon. J. J. Holmes: I did not use the word "Government" in that connection at all.

The Honorary Minister: That is a strong denial. Is Mr. Holmes prepared to withdraw his remark?

Hon. J. J. Holmes: If you say I made use of the word "Government" in connection with the fleching of money from the indigent sick, I will withdraw it.

The Honorary Minister: I think you will find that you did say so. I take strong exception to the statement that money is to be fleched from the indigent sick.

What I did say was this—

Now money that formerly went to charities and the indigent sick is to be fleched and given to the unemployed who, we are told, are diminishing at the rate of thousands per month.

In my statement there was no reference to "Government," though the Minister insisted that I had used the word. It is not recorded in "Hansard" that I used it, and

I knew that I had not used it. I did not make the statement attributed to me by the Honorary Minister, and consequently I have nothing to withdraw.

Recommittal.

On motion by Hon. J. J. Holmes Bill recommitted for the purpose of considering a new clause.

In Committee.

Hon. J. Cornell in the Chair: the Honorary Minister in charge of the Bill.

Hon. J. J. HOLMES: I move—

That the following new clause be inserted:—“Section 3 of the principal Act is hereby amended by the addition to paragraph (e) thereof of a proviso as follows:—‘Provided that the first appointed members of the commission shall hold office until the 31st December, 1934.’”

It will be remembered that the Act was given duration until the 31st December, 1933, and the appointment of members of the Lotteries Commission terminates on the same date. Difficulties arose regarding a member of the commission who is a member of this Chamber, and we passed a Bill permitting him to act as a member of the commission until the 31st December, 1934. The proposed new clause seeks to bring the appointment of other members of the commission into line. We have extended the Act and I propose to extend the term of the present commission. All parties have agreed that they have filled the bill well and are worthy of re-appointment. The Honorary Minister last night said this was an attempt to usurp the functions of Government. This Chamber can fix the period of any appointment.

The Honorary Minister: You might try.

Hon. J. J. HOLMES: We can fix or extend the duration of an Act and the date of an appointment. Parliament has a right to do what I am proposing. All sections have expressed the opinion that the commission have done the job well, and but for Parliament the Lotteries Act would have expired on the 31st of this month.

Hon. W. J. Mann: It can still go out.

Hon. J. J. HOLMES: Quite so. If we have power to extend the Act, we have power to extend the appointment of the commissioners.

The HONORARY MINISTER: I cannot agree to the new clause. I do not propose to say anything further.

Hon. J. NICHOLSON: I could not support Mr. Holmes's proposal last night because of the form in which it was moved, but having regard to the position created by the various measures passed by this Chamber, I feel that any objection I had to the form of yesterday's amendment has now been removed. I support the proposed new clause because it will bring the Lotteries Act into line with the other measures we have passed.

Hon. H. SEDDON: I cannot support the proposed new clause for the reason that I did not support a similar amendment last night. I was opposed to the extension of the Constitution Acts Amendment Bill beyond the end of the present month, and I am only consistent in maintaining the same attitude towards the proposed new clause. There is one aspect I should like Mr. Holmes to consider. Certain action is being taken in the court and the result of that action may be such as to supersede a decision of this Chamber. In those circumstances what would be the position of one member of the commission who is a member of this Chamber?

Hon. J. J. HOLMES: If the case goes against the defendant he will have the choice of remaining on the Lotteries Commission or of giving up his seat in Parliament.

Hon. E. H. Harris: Is he not a free agent?

Hon. J. J. HOLMES: I have been long enough in Parliament to understand that if one cannot get all one wants, it is wise to take what one can get. I was opposed to the amendment of the Constitution. With three or four other members, I took a determined stand against that measure, but the House fell down, as did the walls of Jericho before the blasts of Joshua's trumpets. Not having been able to get what I wanted on that occasion, I am now asking for the next best thing. If Mr. Seddon views the position from that standpoint, he will be voting with me when the division is taken.

New clause put and a division taken with the following result:—

Ayes	..	..	..	..	14
Noes	..	..	..	..	8
					—
Majority for	..	..	..	..	6
					—

ATTN.

Hon. C. F. Baxter
 Hon. J. T. Franklin
 Hon. V. Hamersley
 Hon. E. H. Harris
 Hon. J. J. Holmes
 Hon. J. M. Macfarlane
 Hon. W. J. Mann

Hon. G. W. Miles
 Hon. Sir O. Nathan
 Hon. J. Nicholson
 Hon. E. Rose
 Hon. A. Thomson
 Hon. C. H. Wittenoom
 Hon. L. E. Bolton
 (Teller.)

NOES.

Hon. J. M. Drew
 Hon. G. Fraser
 Hon. E. H. Gray
 Hon. W. H. Kitson

Hon. T. Moore
 Hon. H. V. Piesse
 Hon. H. Seddon
 Hon. R. G. Moore
 (Teller.)

New clause thus passed.

Bill again reported with a further amendment and the reports adopted.

Third Reading.

Bill read a third time and returned to the Assembly with amendments.

BILLS (2)—FIRST READING.

1, Purchasers' Protection.

2, Loan, £3,946,000.

Received from the Assembly.

**BILL—PUBLIC WORKS ACT
AMENDMENT.***Second Reading.*

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [5.5] in moving the second reading said: The purpose of the Bill is to transfer the authority for the construction of railways from the Minister for Public Works to the Minister for Railways. In order to complete the action necessary, another measure to amend other legislation is required and will be submitted concurrently with this Bill. The two measures are related so closely that it will be necessary to pass both as they stand, or if one is modified in any way, it must be in such a manner as will not nullify or render ineffective the purposes of the other Bill. Under the present provisions of the Public Works Act, 1902, the construction of new railways when authorised by Parliament must be carried out by the Minister for Works, as the Minister charged with the administration of the Public Works Act, and with the aid of the Public Works Department. The Minister is given power to delegate his authority to another person, but such a person would be merely an agent of the Minister and could

not in turn delegate to a third person the authority conferred on him by the Minister for Works. When the construction of a new railway has been completed by the Minister for Works, it has to be certified as being fit for traffic under the Government Railways Act, 1904, and is then handed over to and becomes a Government Railway vested in the Minister for Railways on behalf of His Majesty, under the Government Railways Act. The previous Government decided as a matter of policy and for reasons based on economy and departmental convenience, that it was desirable and expedient that the construction of new railways should be transferred from the Minister for Works and the Public Works Department to the Minister for Railways and the Government Railways Department, and adopted that policy in connection with the construction of the railway to Wiluna.

In order to do this, it was necessary for the Minister for Works to delegate his authority to the Commissioner of Railways as his agent, and the Commissioner made use of the staff of the Railway Department to carry out the authority delegated to him. This course cannot, however, be legally adopted owing to the fact that the powers of the Commissioner of Railways are created and prescribed under the Government Railways Act, 1904, and this Act does not give him power to construct or undertake the construction of new railways. To enable the policy of railway construction to be carried out by the Railway Department with due legal authority and effectiveness, it is necessary that the appropriate amendments be made both in the Public Works Act, 1902, and the Government Railways Act of 1904. The Bill contains eight clauses, but Clause 3 is the one which contains the vital and material amendment of the Act, the others being merely saving provisions and consequential amendments. Clause 3 of the Bill amends Section 2 of the Act by deleting the present definition of "Minister" and inserting a new definition which will charge the Minister for Works with the administration of the Act in regard to all public works other than the actual construction of railways, and matters incidental to such construction work. The Minister for Works will still be charged with land resumption for railways and settlement of claims for compensation made in respect of such resumptions, but the Minister for Railways will be charged with the

actual construction work and incidental matters. This is undoubtedly a wise step from the standpoint of convenience, economy and administration. I move—

That the Bill be now read a second time.

HON. J. CORNELL (South) [5.12]: I support the Bill which contains a long overdue reform. In the past the practice has been for the Public Works Department to construct a railway and afterwards hand it over to the Railway Department. Then the procedure was for the Railway Department to bring the line up to the necessary high standard, and by doing that went over a lot of ground that had already been covered and spent a good deal of money unnecessarily. The Bill sets out that whenever it is required to construct a new line, the Railway Department, which is the proper department to undertake the work, will carry out the work. As I have said, this is a reform which is long overdue. The previous Government decided upon this alteration of policy but did not provide the necessary legislation. The next Bill which will be introduced is part and parcel of the Bill now before the House, except that in addition, it contains a proviso regarding the railway benefit fund. One Bill is contingent on the other. I support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

BILL—GOVERNMENT RAILWAYS ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [5.17] in moving the second reading said: The Bill deals with two distinct matters. The first portion deals with the transfer of railway construction work, under the provisions of the Public Works Act, 1902, from the Minister for Works to the Minister for Railways. The reasons for these proposed amendments were explained by me when presenting another measure to the House just now. The Bill makes provision to enable the Minister for Railways to be charged with the construction of new

railways, and also gives him power to delegate the work to the Commissioner of Railways. It gives to the Commissioner the necessary authority to carry out any such work delegated to him, with power to use the staff of the Railway Department for railway construction work, to employ others outside the department, and to obtain any additional plant that may be required to carry out the work. Provision has been made to indemnify the Commissioner and the staff of the department from any liability in connection with such work. A further provision makes it possible for the Minister to have railway construction work carried out by a person other than the Commissioner and the department, if it be so desired.

A proposed new section also gives the Minister for Railways the right to use a new railway for traffic—even though it has not been certified under Section 5 of the principal Act to be fit for traffic—when the construction of the railway has been so far completed as to justify its being used to a limited extent. In exercising such power, it is expressly provided that he may impose special rates and charges as declared by the Commissioner, but when making such a railway available for traffic the Commissioner shall not be considered a common carrier, or have any of the obligations of a common carrier. Such a provision is necessary because, in respect of Government Railways at present in use, the Commissioner is expressly declared by the Government Railways Act, 1904, to be a common carrier, and is subject to all the legal liabilities of the Act, one of which is his liability to accept goods for carriage on the railway, provided they are submitted for carriage in accordance with the by-laws and regulations under the Act. It is essential, therefore, that the Commissioner should be free to refuse to carry goods or passengers on a railway in course of construction, unless his own special rates and conditions are agreed to.

The second portion of the Bill deals with an entirely different matter. Under the Government Railways Act, 1904, the Commissioner is empowered to make by-laws for establishing voluntary superannuation, sick benefit, death insurance, or guarantee funds, and for the deduction of prescribed contributions to such funds from the pay of any employees who have given their consent thereto. Under this power, a voluntary death benefit fund was

established 26 years ago, and a large number of railway employees availed themselves of it with beneficial results. Prior to the inception of the fund, it frequently happened that employees died without life insurance or other provision for their dependants, and to relieve distress in such cases, subscription lists used to circulate amongst the staff. Although that arrangement was a laudable one it was not satisfactory for, apart from the tinge of charity, there was the objection that in the main the same men contributed on each occasion, whilst others did not assist. The Death Benefit Fund was then originated and on the death of a member a levy of 1s. was made from each member of the fund, and the total amount was paid to the person previously nominated by the deceased.

After further experience the actuarial report showed the need for the income and reserve to be increased. This was given effect to last year by fixing the maximum benefit payable at death at £175 and increasing the contribution to 26s. per year. To meet the wishes of many of the older members, surrender values are now paid to men of from 65 to 70 years of age and over. The death benefit section of the fund has a membership in the vicinity of 5,000. The payments of benefits for the year recently closed totalled nearly £18,000, whilst the levies from members were approximately £19,000. Since the inception of the fund, the deaths have totalled 1,500, and the benefits paid have exceeded £300,000. The objects of the fund have recently been enlarged so as to entitle contributors to certain endowment benefits either in addition to or in lieu of the original death benefit. The fund is controlled by a duly appointed committee of management, and the amount of the contributions to be paid into the fund, and the amount of the benefits to be derived from it, are assessed and calculated upon the appropriate actuarial basis.

Although a great majority of the railway employees are contributing voluntarily to this fund, not all of these who have joined the service do so. Consequently, it is the large body of railway employees themselves, as represented by their unions and the committee of management, who have requested that the Act be amended in the manner provided for in the proposed new Section 68A, in order that employees

who enter the service hereafter may, with certain exceptions, be compelled to contribute to the fund, from which they will derive a benefit without suffering any hardship. Existing legislation governing the police force provides for members of the force to contribute to the Police Benefit Fund; and under the Public Service regulations, public servants are required to take out life assurance policies. It is considered by those concerned in this amendment that compulsory insurance is undesirable in the case of railway employees, but that a compulsory contribution to the fund already established as a voluntary fund for railway employees is desirable and will be beneficial to all. Consequently, it is proposed to insert in the principal Act the new Section 68A which is very clear in its terms and explains itself: I move:—

That the Bill be now read a second time.

HON. H. SEDDON (North-East) [5.27]: I take it that the first part of the Bill is complementary to what we have just passed in the Public Works Act Amendment Bill. In regard to the provisions for the Death Benefit Fund, may I briefly outline what occurred in the department. From the inception of the fund the majority of the men were comparatively young; I suppose if an analysis of the ages of the men had been taken, it would have been found that the average age in our railway service was very much younger than that in the services in the Eastern States. Consequently, the establishment of a death benefit fund was for a time quite a sound proposition, because the death rate was comparatively low. What we did was thus: we contributed a shilling on the death of an employee, and that shilling resulted in the amount of £200 being handed to the deceased's dependants. But after the war things were considerably altered. The members of the fund decided that they would maintain the membership of the men who enlisted. That was carried on and consequently the contributions to the fund became very heavy. After the war considerable leeway had to be caught up, and on an investigation being made, it was found that the fund was actuarially unsound, because the younger men were not joining up and the older men, of course, were dying off. There is a good deal to be said for this part of the Bill, inasmuch as it does tend in a small

degree to meet the necessity for providing some sort of benefit to a man who is under the scheme. Pending the establishment of a general superannuation scheme for all members of the service, this will be the next best scheme. The expenses of bookkeeping in connection with the fund are met entirely by the department; that is their contribution, but otherwise it is run by a committee of the men. I intend to support the Bill. It is a step in the right direction; but, as I say, I consider the best scheme would be a superannuation scheme to which all members of the service should contribute and from which they would be entitled to draw a retiring allowance on leaving the department. The older servants of the department, who joined the service before 1904, are entitled to superannuation allowance. The men who joined the officers' branch of the service since 1904 are entitled to a retiring allowance which is based on their length of service. That retiring allowance is paid in a lump sum. The wages men have had no such provision made for them.

Hon. A. Thomson: The only thing for them is the old-age pension.

Hon. H. SEDDON: Yes, although possibly they have a claim under the Act, but that has not yet been determined. As I say, I regard the measure as a step in the right direction.

HON. W. J. MANN (South-West) [5.32]: I support the Bill. I would like to make brief reference to the first part of it, that giving the Commissioner of Railways power to construct new lines. To me it has appeared for a long time that that is the procedure which should be followed. It should make for efficiency. If railway lines are to be constructed by the Railway Department, and apparently that is the Government's determination, then they should be constructed as economically as possible. We have not very much in the way of precedent so far as railway construction is concerned up to date, but I cannot help referring to a small piece of railway, about 2½ miles long, that was constructed from Collie to the Griffin mine. That railway cost £22,000. I hope that when the Railway Department undertake construction work, their methods will be more economical than the methods followed in that case.

Hon. G. W. Miles: Was that line built departmentally or by tender?

Hon. W. J. MANN: It has been stated in the House that it was constructed by the Railway Department and I think it will be found that statement is correct.

Hon. J. Nicholson: Can you say why it cost so much?

Hon. W. J. MANN: I cannot, but I know the Griffin mine people, when they found out the cost and were presented with the bill, almost fainted.

Hon. G. Fraser: Were there any complications in the construction of that line?

Hon. W. J. MANN: It was only a short length of railway and I understand no difficulty was encountered in its construction. That incident might well be recalled in the hope that we will not have a repetition of it in the future.

HON. SIR CHARLES NATHAN (Metropolitan-Suburban) [5.36]: I desire very briefly to address myself to the Bill, not that I anticipate there will be any objection to it. The Leader of the House and Mr. Seddon both spoke as to the desirability of the action that it is proposed to take in connection with the benefit fund. Mr. Drew said the fund had been in existence for many years as a death benefit fund, and I think nearly 5,000 members have contributed voluntarily to it. Mr. Seddon pointed out that as some of the members were becoming older, the younger employees of the department were not supporting the fund, and that a year or two ago it was found the fund was not on a sound actuarial basis. In a previous discussion in this House with regard to another fund established on the goldfields, we heard how seriously the liability can increase. It is a little over 12 months since the desirability of making alterations in connection with the fund was considered, and the alterations adopted. I understand the idea now is to close down the old death fund, but to retain the old membership, because members have contributed to it for so many years, and to create a new endowment fund, which I understand has been placed on such an actuarial basis by Mr. Bennett as will ensure its meeting all its obligations. It is very desirable and very necessary that contributions to a fund such as this should be made a condition of employment. We know that in many instances young men do not realise their obligations in matters of this kind. It will be no hardship to them to contribute to the fund, because if at any time they sever

their connection with the department, they will be able to withdraw the amount they have paid in. I support the Bill because a great number of the men concerned live in the district that I have the honor to represent.

HON. A. THOMSON (South-East) [5.39]: I have much pleasure in supporting the second reading of the Bill. An old saying runs thus, "Cast thy bread upon the waters, for thou shalt find it after many days."

Hon. J. Cornell: Sometimes.

Hon. A. THOMSON: Yes, and this is one of the occasions. When I was a member of another place, I was responsible for a plank being placed in the platform of the Country Party that the Railway Department should construct railway lines, instead of that work being done by the Public Works Department. The Party considered that that procedure would be more economical. We had found frequently that after the Public Works Department had handed over a railway line to the Railway Department, the latter department, in order to bring the line up to their standard, had to expend a considerable sum of money upon it. Therefore, I am delighted to see that what I have advocated for so many years past is at last to become an accomplished fact. I also agree with what members have said in favour of the second part of the Bill. I never could understand why the Railway Department, and the men themselves, turned down the superannuation scheme. The result has been that during this period of depression quite a number of railway workers who have reached the age limit and have had to retire, notwithstanding that they felt they had many years of good service ahead of them, have had to accept the old-age pension. The railway men are to be congratulated and commended upon the very excellent spirit they have shown in the past in contributing towards amounts subscribed for the benefit of the dependants of deceased fellow workers. I am sure that that assistance has been very greatly appreciated.

HON. E. H. H. HALL (Central) [5.42]: I am sorry the Bill was not introduced many years ago, but it is no use crying over spilt milk. The Government are to be congratulated upon submitting the measure. When I first went to the gold-fields as a Commonwealth civil servant, I was not in the township for 24 hours when

I was approached for a contribution to the local hospital. That was a new experience for me. It was an old settled town with a good hospital, too. It was there I learned that when a man started to work at a mine he was not asked to contribute towards the hospital; the subscription was deducted from his pay and if he did not like it, he could look elsewhere for a job. I think it is a pity that principle did not apply to the Railway Department. However, the Government are to be congratulated on taking this action. The Bill also provides that the Railway Department shall have the right to construct their own lines. That is a right which the party I belong to has advocated for many years past. Very often members of Parliament are blamed for the sins of omission and commission of Governments. I would point out, however, that members of Parliament are not responsible for the acts of a Government, and that statement cannot be repeated too often. I may perhaps be regarded as a new member of this House—I have been a member for five and a half years—but I have heard it said repeatedly from all sides of the House that suggestions put up by members have not been taken the slightest notice of by the Government of the day. I think it is a reflection upon the intelligence of past Governments that a superannuation scheme was not provided for the Government service years ago. One has but to look at the Auditor General's report, presented to Parliament each year, to wonder how much longer the public are going to stand the large amounts paid out by way of retiring allowances to civil servants who have been highly paid and who never knew what it was to be a day out of work. I am not saying they do not deserve what they receive, but there are hundreds of thousands of men who do not know what it is to have constant work during the whole of their lives. When they reach 65 years of age, their only hope is the old-age pension. All members of the community should be put on the same footing and made to contribute towards some fund out of which they will be able to receive some allowance upon their retirement. The Government should certainly take action in this direction, but as Mr. Seddon has pointed out this afternoon, probably not the slightest notice will be taken of the matter. At least we shall be able to say that we have pointed out what is needed. Action has been delayed too long. Not the slightest notice has been taken by the Government of

the representations of members. I have pleasure in supporting the second reading of the Bill.

HON. G. FRASER (West) [5.46]: The only portion of the Bill with which I am concerned is the second portion, which deals with the benefit fund. I am indeed glad that the Government have made contribution to this fund compulsory, because the effect will be to eliminate the sorrowful spectacle of the hat being passed round when some unfortunate goes under. I am glad that provision has been made for exempting men who have already made provision for their families by way of life assurance. If in the opinion of the Commissioner the amount of such assurance equals the total derivable from the benefit fund, exemption may be granted. Thus a man is protected from being overloaded with insurance. Numerous railway employees have taken out life assurance policies up to the hilt, and in such cases contributions to the benefit fund would be a burden which could not be borne. I am sorry that there is not a provision authorising the board controlling the fund to take over the responsibility for the life assurance policy in such cases. That is a usual condition in connection with superannuation funds, and its inclusion would greatly improve the Bill. It is much easier for a man to keep up this form of assurance than the other, because the premium on a policy is paid either yearly or half-yearly, whereas the contribution to the fund is paid fortnightly or monthly, and thus is more conveniently met. It should be optional for the holder of a life assurance policy either to pay the premiums himself or to let it be done for him by the board. That is the only fault I find with the Bill, and I have much pleasure in supporting the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

BILL—STATE TRANSPORT CO-ORDINATION.

Second Reading.

Debate resumed from the previous day.

HON. A. THOMSON (South-East) [5.54]: I listened carefully and attentively to the Chief Secretary when introducing the measure. I also listened in the hope that the Minister would be able to demonstrate that the Bill is really a measure of co-ordination, but for my part I fear that the Bill is hardly what was expected when the Government announced, prior to the opening of the session, that they intended to bring down a measure dealing with the transport problem. Parliament having been called together on the 18th July, the Minister for Railways, Mr. Willcock, on the 14th November, moved the second reading—just 17 weeks after the assembling of Parliament. Three weeks later the Bill reaches us, on the 6th December, or 20 weeks after the opening of the session. I regard the Bill as one of the most important measures ever submitted to the Parliament of Western Australia. In the closing days of the session, just six days before Parliament should adjourn for Christmas, we are asked to give serious consideration to a measure of far-reaching effect, especially in the country districts. It has been stated in the Press that unless the Bill is passed a short summer session will be held to deal with it. The importance of the measure should commend to the House a suggestion I propose to offer later, that the Bill be referred to a select committee. Throughout the speech of the Chief Secretary the one aspect urged upon our attention was that of the Railway Department. It is true that the Bill now contains various amendments, to my mind vastly improving it, and demonstrating how necessary it is that care should be exercised in putting it into effect. Various resolutions and suggested amendments have been submitted to members of this Chamber by the Federated Chambers of Commerce, the Fremantle Chamber of Commerce, the Motor Transport Association, the Primary Producers' Association, the Perth and Kalgoorlie Chambers of Commerce, the West Australian Carriers' Association, the Chamber of Automotive Industries, the Alpine Taxi Service, the Pastoralists' Association, the Royal Automobile Club, the Motor Passenger Transport Association, the Eastern Hills

Fruitgrowers' Association, and the Wheat-growers' Union. The fact shows that those bodies are somewhat apprehensive of the effects of the Bill if passed. The railway interest, as I say, has been put before us. A select committee, if appointed, would be able to do the work of investigation speedily, as the various bodies mentioned have already considered and discussed the measure. Before coming to a decision on it, we should have an opportunity of knowing exactly what is in the minds of those who are to be heavily taxed—I refer to bus, taxi and motor interests. Another matter which, in my opinion, requires grave consideration is the effect the Bill will have on commercial and rural interests. I congratulate the Government on having submitted to this Chamber a much-improved measure as compared with what it was when introduced elsewhere. Certainly, as originally presented the measure could not be by any means considered a Bill for co-ordination of transport. I sincerely hope that the Government will agree to additional amendments which will render the measure more acceptable to many people in the country districts. It has been pointed out by the Minister for Railways and the Chief Secretary that a total of £25,000,000 has been expended on our railway system, and that the annual interest bill of £1,000,000 is a commitment which has to be met by a population of a little over 400,000. The Minister for Railways proceeded to say that we could not allow an asset representing one-third of the State's indebtedness to deteriorate in value because of unfair competition, and that therefore a definite stand must be taken. At the same time he said he did not wish to imply anything in the nature of prohibition of motor transport; he was merely asking for co-ordination and some control. I am quite in accord with that statement. I agree that we must as far as possible protect an asset representing one-third of the total indebtedness of Western Australia. I agree also that some measure of control is required. The Minister stated that at least 50 per cent. of the payable traffic had been taken from the railways by motor transport. That was purely a statement; it was not backed up by figures. It is true that the railways are showing a loss, and that motor transport has made inroads upon the freight that formerly represented a monopoly for the railways. If we are to stultify ourselves by eliminating motor trans-

port, instead of co-ordinating the two systems, we will seriously increase the cost of living in the country districts—unless the Railway Department see their way clear to reduce freights considerably. Deputations have waited upon the Commissioner of Railways, and his responsible officers have attended conferences when requests have been submitted for consideration. The reply for the railway authorities has always been that the Government intended to introduce a Bill to remove what they described as the unfair competition of motor transport and that when the legislation was passed, something might be done to comply with the requests submitted to the railways. It will be appreciated that every business man in the State, and almost every section of the community, have had to face altered conditions during the period of depression. I regret having to say that, in my opinion, the officials of the Railway Department have not met the altered conditions in the country districts.

Hon. H. Seddon: How could they?

Hon. A. THOMSON: How could other business concerns?

Hon. H. Seddon: Capital had to be provided.

Hon. A. THOMSON: How is it that a man with very little capital was able to purchase a motor truck and build up a business that enabled traffic to be taken from the Railway Department? Why did not the railways meet the altered conditions by reducing the minimum charges? It was pointed out to the railway authorities that under the altered conditions in the country districts, traders were not in a position to take advantage of truck lots, whereas in normal times they could easily incur an expenditure of upwards of £100 in order to stock up, feeling certain that they would get rid of the supplies in due course.

Hon. H. Seddon: The railways had to secure Parliamentary authority for every penny that was required.

Hon. A. THOMSON: But the railways did not meet the altered conditions. I sympathise with the responsible railway officers because I believe that had they had a free hand, they would probably have gone a long way towards eliminating the competition about which there is so much complaint now. I congratulate the railway officers and their staffs on the way they have conducted the system. I have tra-

velled extensively, and, in my own opinion, the travelling public in this State secure services second to none available elsewhere. I also desire to pay a tribute to the tramwaymen in the metropolitan area. As a body of men, I think those employed on the trams are the most courteous it has been my pleasure to meet. I have been very proud on many occasions to note how conductors and motormen have left their posts to assist aged women and mothers with children in perambulators. I can assure the House that that courtesy is not encountered in crowded cities like Melbourne and Sydney.

Hon. R. C. Moore: It is in Sydney.

Hon. A. THOMSON: That has not been my experience. Let us consider the position of the Railway Department. For many years I have contended that the railway officials have not received a fair deal from the Government. I do not refer to the present Government but to all Governments. Last year there was a loss of £175,000 on the railways, and, unless competition be eliminated or effectively dealt with, it is estimated that the railways will lose probably a greater amount this year. When the Chief Secretary replies to the debate, I would like him to supply me with some information. This year's Estimates for the Premier's Department contain the following item:—

Travelling concessions to members of Parliament and life pass holders, £1,700.

Ministerial and Parliamentary visits and State ceremonials, not including departmental visits, £2,000.

Payment to Railway Department to cover all charges for free passes, special trains, cars, etc., £1,500.

Those three items give a total of £5,200. If members will turn up the reports of the Commissioner of Railways, they will find that he has estimated that the services under the headings I have mentioned, for which the department received £4,000 one year, cost the railways £36,000 to render. Then again, the Chief Secretary drew attention to a further tax that is levied on the railways, which is not borne by motor transport. He referred to the conveyance of school children by rail at a nominal charge of about 1s. per child. I would like to know how much the conveyance of those children really costs the department. In my opinion, the cost should rightly be

borne by the Education Department, not by the railways.

Hon. J. J. Holmes: And that is incurred in respect of children going to State schools where they receive free education.

Hon. A. THOMSON: That is so. It is not fair to the Railway Department.

Hon. E. H. H. Hall: It is the same as the travelling allowance in the country districts.

Hon. A. THOMSON: That is so. The same position arises with regard to the services rendered to the Premier's Department. Of course, I realise that it is merely a book entry, but I think the railways should be credited and the Premier's Department or the Education Department, whichever was concerned, should be debited with the costs incurred. We are told that the railways are losing so much; I am endeavouring to show that the railways have not received a fair deal.

Hon. V. Hamersley: The railways are not really losing it, if it is a book entry.

Hon. A. THOMSON: But the department renders service and those in whose interests the service is rendered should be debited with the cost, not the railways.

Hon. J. J. Holmes: Such debits adversely affect the railway accounts for the year concerned.

Hon. A. THOMSON: Yes, and correspondingly the accounts of the other departments benefit. It is interesting to note that more than one-half the population of Western Australia lives between Fremantle and Midland Junction. It costs 2d. to send a letter anywhere in the metropolitan area or anywhere hundreds of miles away.

Hon. J. J. Holmes: The postage is the same to anywhere in Australia.

Hon. A. THOMSON: I am endeavouring to show that the present system penalises the country people and leaves the city folk free. The same position will arise if we agree to the Bill in its present form. The people in the metropolitan area will be free: those residing in the country areas and motor interests will be penalised. Then there are other factors adversely affecting the railways. When the present Labour Ministers were formerly in power, through governmental action—not at the request of the Railway Department—long service leave was granted to the railway employees. I would like to know what that privilege has cost the department. I can remember Sir James Mitchell estimating that it would cost

£40,000 and that he would have preferred to spend the money in providing work for the unemployed.

Hon. E. H. H. Hall: I think it worked out at more like £60,000.

Hon. A. THOMSON: That was a matter arising out of governmental action that was not taken at the request of the railway authorities. That is another heavy burden. Then again, what is it costing the railways for the free passes and privileges enjoyed by railway employees? I do not desire to be misunderstood; I merely wish to know what this represents.

Hon. V. Hamersley: You want to get the facts.

Hon. A. THOMSON: I am endeavouring to deal with facts. I understand that railway employees are able to travel free right through to Queensland, if they so desire. I do not know how the balance is arranged, but I am sure it must run into some expense. Then there is the position that arose recently when the present Government applied the 44-hour working week to the railways. According to the Press, that has represented an additional cost of £8,000. It would be interesting to know how many men there were for whom it was necessary to provide work. I want members to have a proper perspective of the position in which the Commissioner of Railways finds himself at present.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. A. THOMSON: The railway figures for 1928 showed a surplus on the year's operations of £26,671, but last year there was a loss of £175,000. If the various amounts that ought to be credited to the Railway Department had been charged against other departments, that loss, I feel sure, would have been considerably reduced, and to charge up such amounts would be only fair to the railway officials. I have contended that the proposal to write down the capital account of the railways is not quite consistent with sound finance, but I am delighted to find that that principle is recognised in this Bill. If we adopted the system prevailing in the Eastern States, under which the Commissioner of Railways is guaranteed against the loss on developmental lines, we should get very close to balancing the railway ledger. This is a good testimonial to the efficiency of the administrative officers. May I express the hope that the Government,

when appointing a new Commissioner of Railways, will not go outside the State, but will appoint a man from the railway service, who knows the operations from A to Z. It is sometimes said that wise men come from the East. Our experience of Eastern States appointments has not been very satisfactory, and I would prefer to see a local man appointed to the position.

Hon. J. J. Holmes: Did not you come from the East?

Hon. A. THOMSON: Yes, many years ago, but I have become acclimatised. My arrival dates back further than I care to think. I have reason to be grateful for what Western Australia has done for me. When one considers the charges to which the Railway Department have to submit, it is surprising that the loss has not been greater. My reason for suggesting that the Bill be referred to a select committee is that the Minister presented only the railway point of view. The appointment of a select committee would permit of the motor transport owners submitting their views and pointing out how they might co-operate with the railways, and whether they considered undue burdens would be imposed upon them by the measure. A board of three, I consider, would not be satisfactory. There would always be two against one, and I am afraid the primary-producing section would frequently be in the minority. A board that I consider would give complete satisfaction would be one comprising a representative of the Commissioner of Railways, a representative of the Commissioner of Main Roads, a representative of the motor transport interests, and one representative each of the commercial and primary-producing interests.

Hon. H. Seddon: What about the general public?

Hon. A. THOMSON: Their interests would be safeguarded because the Government, in effect, would have two representatives on the board. Possibly their interests have not been considered as they might have been in the proposal contained in the Bill.

Hon. J. J. Holmes: Following your argument of two against one, it would become three against two.

Hon. A. THOMSON: But there would be a better balanced board. We have been told that it would be unfair if certain interests were not represented. The Bill definitely aims at depriving men of their business and livelihood—I refer to a section of transport owners—and they are to be given no

representation on the board. Further, the Bill does not provide for the payment of compensation. The power proposed to be vested in the board has not been conceded under any other legislation. To empower the board to determine that a man shall not continue in his business without recompensing him or paying him compensation borders on confiscation. In many towns along the Great Southern and goldfields lines, men have built up lucrative businesses. A man may have undertaken great financial responsibility by purchasing motor vehicles, and judging by the patronage received, he is catering for the needs of the community. The board have power to investigate his business and to refuse to renew his license on the ground that a railway is serving the town and therefore adequate transport facilities are provided for the people. In effect, the board would be confiscating the man's business.

Hon. T. Moore: Are there any such men?

Hon. A. THOMSON: Yes. Even if there were only one or two, the minority are entitled to justice. I have not known of legislation to be passed confiscating a man's business or property without provision being made for the payment of compensation. The Land Act was amended to protect a landowner if the Government decided to resume portion of his land. He was to be compensated for the buildings on the portion resumed. The Public Works Act contains similar provision. If the hon. member had a house and the Government decided to resume it for public purposes, he would consider himself harshly treated if he did not receive compensation for his loss.

Hon. T. Moore: This is different.

Hon. A. THOMSON: The man I quoted by way of illustration has started a business which has provided sustenance for him and his family. He has purchased a motor truck. It would be useless to offer him an opportunity to start in business elsewhere because he would be under the expense of building up a fresh connection.

Hon. L. B. Bulfin: And the business might not be there.

Hon. A. THOMSON: That is so. I hope the Bill will be amended to provide for the payment of compensation to men deprived of their business. The provisions of the measure will press unduly on country residents—workers, business men and primary producers. All Governments place in the forefront of their platforms the policy of

decentralisation, but every Act of Parliament entails additional restrictions and generally affects the country districts more than the metropolitan area. Was there ever a more humiliating spectacle than that of the Federal Government in their backing and filling over granting assistance to the wheat-growers? If the proposal had been to assist the secondary industries of Sydney or Melbourne, the matter would have been settled in a very short space of time. This, however, was a matter of assisting the wheat-growers, and I cannot remember a worse exhibition of timidity.

The PRESIDENT: I must remind the hon. member that we are discussing the transport Bill.

Hon. A. THOMSON: I realise that, and I am endeavouring to keep as close as possible to the subject under discussion. While many Governments profess a desire to protect and foster the rural industries, they fall down on their job badly when they reach the testing point.

Hon. J. J. Holmes: They broadcasted a plea to the farmers to grow more wheat.

Hon. A. THOMSON: Yes. With all the burdens imposed on the country, is it any wonder that the people crowd into the cities where the conditions of life are more comfortable? The latest census figures show that the population of the cities has increased considerably, while the population of the country and of rural towns has decreased. If ever a Bill was introduced that will have the effect of assisting in the foolish policy of building up the city, it is this. Let us take Clause 10 and consider the powers which are to be given to the board. It can in effect ruin a man or company by calling for tenders for road transport. Dealing with the question of transport generally, in the light of the services of the community, and the needs of the people for the economic development of industrial conditions under which all forms of transport are conducted, I wish to see offered impartial and equitable treatment to all conflicting interests. The original Bill which was introduced certainly did not provide for meting impartial and equitable treatment to all conflicting interests. It is admitted that Clause 10 applies only to new licenses. Let us see what has happened. Some years ago certain men took upon themselves the responsibility of endeavouring to build up a bus service to some of the out-

lying districts. They supplied the conveniences, and as a result, there was increased settlement. Having established that bus route, it is going to be pretty disappointing and injurious to the bus owners if the board decides to call tenders for the transport of passengers along that route, and further, to demand a premium for a business which the owners, as the pioneers, built up. I know that something will have to be done in the way of control, and I suppose the Minister will tell us that the measure will be administered with common sense. But when we are dealing with a Bill of this kind which is going to interfere with the livelihood of many men, we should at least see that there are reasonable safeguards. With regard to Clause 11, I have already expressed my views, but it is a source of satisfaction to find that in Subclause 6 it is provided—

The capital cost of any railway or tramway so closed, less the value of any material recovered, shall at once be deleted from the capital account of the Railway Department.

There we have a principle which I have been advocating for many years. I have always urged that if a railway is closed, or if assets have vanished—and the Lord knows many thousands of pounds of assets have vanished—it is reasonable to say that the amount in question shall be deducted from the capital cost. There is no need to labour the question, but I am glad to see that the Government have recognised that something which I have been advocating is really a sound business proposal.

Hon. J. Nicholson: Did not you propose the writing down of the cost of the railways?

Hon. A. THOMSON. My proposal was to take the valuation of the railways and allow for depreciation. I have also claimed that there are sections of railways which have been considerably over-capitalised. But I have no desire to traverse the ground that I have covered so frequently. The effect of Clause 3 will be very harsh upon the people who own private cars. The proviso sets out—

Provided that this section shall not apply to any journey made for reward by any motor vehicle which is not a commercial goods vehicle or omnibus on any occasion on which the board is satisfied that a special emergency justified the making of such journey.

There is another clause which deals drastically with the same position. It reads—

Any person who sends or causes to be sent or conveyed, or offers to send or convey, any passengers or any goods by any vehicle which is required under the provisions of this part to be licensed, and in respect of which the appropriate license is not in force, shall be guilty of an offence.

When replying I should like the Minister to let me know what is going to be the position of certain owners of private cars. Really this is information which I was asked in my own electorate to obtain. We have a body called the Great Southern Bowling Association, the members of which play matches at Narrogin, Wagin and Katanning. It has been the custom in the past for about five cars to take the players—perhaps 20 of them—to the various greens. The players have been in the habit of putting in the price of petrol, and everyone has been perfectly satisfied. Now, strictly interpreting the clause, it will be necessary to send 20 cars.

Hon. J. J. Holmes: The board will have power to make exemptions.

Hon. A. THOMSON: But the question is will they do so. An offence will be committed if five cars take the 20 passengers, and the passengers, as they have been in the habit of doing, pay for the petrol.

Hon. J. Nicholson: That section applies to public vehicles.

Hon. A. THOMSON: It also applies to private vehicles. I should very much like to know what the position will be with regard to private motor cars. I am putting on the clause that I have read, an interpretation which I think can be correctly applied, that if I take anyone in my car, and I get a reward in some shape or form, I commit a breach of the Act.

Hon. E. H. Gray: It is a breach of the Act now to do that.

Hon. A. THOMSON: Then the sooner it is altered the better.

Hon. J. Nicholson: We could make it clear by adding a proviso that it shall not apply to a private car.

Hon. A. THOMSON: I am dealing with the Bill as it is. Let me refer to Clause 14 which deals with the fees for licenses. It is provided that the fee shall not be greater than 10 per cent. of the gross earnings of the vehicle. To my mind, 10 per cent. is very high, and that again is justification for asking that the Bill be submitted to a select

committee to enable us to get sworn evidence from those who are running motor vehicles as to what is a reasonable charge. Ten per cent. may be a reasonable charge, but to me it seems very high.

Hon. J. Cornell: If you referred the Bill to a select committee, the matter would still have to be argued in this House.

Hon. A. THOMSON: Yes, we would be armed with information obtained from those who are interested. I admit that the matter would have to be dealt with again in the House, but the recommendations of the select committee would have to receive due consideration from members.

Hon. J. J. Holmes: They do not always give it.

Hon. A. THOMSON: If the investigation cannot be completed before the session ends, then we have no right to pass the Bill now.

Hon. J. J. Holmes: We have all next year before us, I mean commencing in February.

Hon. A. THOMSON: The Government knew before Parliament assembled in July that it was their intention to introduce a transport Bill. I contend that so important a Bill should have been introduced much earlier. Personally I think we can get all the information we require in a very short space of time and present the report to the House before the session closes. If that is not possible, no great harm will be done to the Railway Department or any other section if the matter is held over. In the meantime, the select committee could be appointed a Royal Commission and could report to Parliament in due course. Clause 17 provides that commercial goods vehicles shall not be used for passenger traffic.

Hon. J. Cornell: Would it not be better if you argued all the clauses in Committee?

Hon. A. THOMSON: I hope the hon. member will allow me to follow the procedure that I think proper. I am endeavouring to be as brief as I can and I hope the hon. member will permit me to deal with the various clauses and to point to the danger that may arise on passing some of them as they stand. It is here prescribed that no person driving a commercial goods vehicle shall permit any other person to ride therein; and if that should be done, the owner of the vehicle shall be guilty of an offence and liable to a penalty of £20. Just imagine that some poor old fellow on the road wants a lift, and the

driver of a truck is willing to give him one.

Hon. J. Cornell: We do not want a select committee to inquire into that.

Hon. A. THOMSON: I am glad to hear that, for it appears to me to be a drastic provision. While the driver might be inclined to give a man a lift, he would not be permitted to do it. Again, assuming that a farmer has a few pigs for sale, and arranges for a commercial goods vehicle to come out and pick them up. If that farmer for any reason wanted to go along with the pigs, the driver could not take him without rendering himself liable to a penalty. Clause 24 prescribes that the board may grant an application for a license or may refuse it, and the decision of the board shall be final and without appeal. I shall be very much surprised if members allow that clause to go through without amendment, for I strongly contend that the applicant should have the right of appeal.

Hon. J. Cornell: There is no appeal against the decision of the Commissioner of Railways.

Hon. A. THOMSON: Which only serves to show what a monopoly they have in the railways. When the regulation was agreed to, making it an offence for the driver of a truck to be within 150 yards of a railway line while a train was coming along, I think members must have been unaware of what they were doing. I am of opinion that if a man has established a carrying business, and is refused the renewal of his license, he should have the right of appeal. Clause 26 gives the board power to impose conditions. No reasonable man will object to that, although I sometimes think the conditions imposed on motor buses might well be applied to our tramways, whose cars are frequently overcrowded. I understood from the Minister last night that the board would have control over the railways and tramways. Certainly if it is fair and reasonable to specify charges for buses, it would be only reasonable and fair to give the board power to control railway fares. I believe the officers of the Railway Department, if given an opportunity, would make very drastic reductions in railway fares, and in that way meet the road transport competition. Again it seems to me that if certain records and statistics are to be kept and supplied to the board, it can only be so that

the board may police the fees charged; but it certainly is drastic to give the board power to demand the whole of a man's private business returns. Now let us come to Clause 33. Here we have the amazing position of city versus country. Mr. Holmes last night drew attention to the number of extra passengers that had been carried on suburban railways, and pointed out that the department had lost a thousand pounds. He said that traffic was gone, and that we should never recover it. I am not prepared to agree with him on that point, and I commend the Railway Department on their endeavour to get back their traffic.

Hon. J. J. Holmes: I was referring to passengers.

Hon. A. THOMSON: Yes, I know. Half the population of the State is living within this prescribed area of 15 miles from the General Post Office, Perth. Surely some of the transport traffic in the metropolitan area is recoverable to the railways! Is it fair that we should charge the man in the metropolitan area the ordinary fees, while a man in the country is to be charged up to £100 on the same class of vehicle as is competing with the railways in the metropolitan area? It seems to me that Clause 33 should be deleted.

Hon. J. Cornell: That clause applies only to commercial vehicles.

Hon. A. THOMSON: I am dealing with commercial vehicles. In my opinion paragraphs (a) and (b) should be deleted, and instead of imposing a higher tax on motor transport people in the country, we should level up the fees.

Hon. J. J. Holmes: The Bill will level them up.

Hon. A. THOMSON: Half the population of Western Australia is living in the metropolitan area and not producing very much. Nevertheless, if members will travel down the Perth-Fremantle-road, they will be able to count quite a large number of loaded motor vehicles going and coming. Have the Railway Department ever made an attempt to secure that traffic?

Hon. A. M. Clydesdale: That traffic has gone, absolutely.

Hon. A. THOMSON: I do not agree. I am dealing with goods carried by motor transport from Perth to Fremantle, and from Perth to Midland Junction. The Railway Department have never made an effort to get that trade.

Hon. J. J. Holmes: And they never will.

Hon. A. THOMSON: But they could easily get some of it. What is to prevent the Railway Department, when ships are unloading at Fremantle, from going to the consignees and saying, "We will put our trucks alongside the ship, pick up your goods, bring them to Perth and deliver them into your warehouse."

Hon. H. Seddon: It sounds like another State trading concern.

Hon. A. THOMSON: But the Railway Department have done that in country districts, supplying motor trucks for the purpose, and it has paid the department well.

Hon. J. M. Macfarlane: That was hardly fair.

Hon. J. Cornell: Clause 33 is only enacting what is in practice to-day.

Hon. A. THOMSON: But we shall be placing greater difficulties in the way of men who are following the same calling in country districts, while leaving those in the metropolitan area in exactly the same position.

Several members interjected.

The PRESIDENT: Order! The hon. member must be allowed to proceed with his speech.

Hon. A. THOMSON: I rather welcome a few interjections.

The PRESIDENT: The hon. member must not court interjections.

Hon. A. THOMSON: The Bill is perpetuating anomalies, and making it very much more difficult for the man in the country who has to earn a living by his truck.

Hon. J. Cornell: That position will remain, even if we do not pass the Bill.

Hon. A. THOMSON: Not necessarily, because this is imposing greater hardships on those in country districts than on those in the metropolitan area. Let us examine the Victorian Act, upon which the Bill is based. I am informed that in Victoria two-ton trucks are exempt from the provisions of the Transport Act. Primary producers can carry their goods on their own trucks anywhere. Furniture trucks are exempt. In Victoria the Railway Department own motor buses and trucks which they use in conjunction with the railways. It may surprise members to know that parcels are delivered in the city.

Hon. L. B. Bolton: The Railway Department have delivered parcels in the metropolitan area for years past.

Hon. A. THOMSON: That is so. If it is considered reasonable to deliver small parcels, then I can see no objection to larger parcels being delivered. There is this difference between what obtains in Victoria and what is proposed by the Bill. The Victorian Act provides that a bus or a truck which belongs to the Railway Department, and uses the roads, must pay a license fee. Here the trolley buses and tramways do not pay any fee at all. Clause 35 of the Bill deals with applications for the licensing of commercial goods vehicles. I hope the House will agree to the insertion of the word "new" before the word "commercial," so that a man who has already established a business will not be penalised. Provision is made that the proposed board shall police Arbitration Court awards or industrial agreements, but, personally, I think we can very well leave the Arbitration Court to look after its awards. I do not propose to deal with the part of the Bill relating to airways: I will leave that until we reach the Committee stage. Clause 39 of the Bill gives the board very great discretionary power. The board can impose conditions, prescribe areas and do such other things as they think proper in the public interest. In those circumstances, I think it highly desirable that the regulations should be approved by Parliament. I have endeavoured to ascertain what the fees to be imposed will be if the Bill becomes law. I hope the Minister will make a note of this. As I understand the position, motor owners in Western Australia have to pay the local authorities their traffic fees; they will have to pay the red plate license; and they will have to pay the license fee demanded by the Transport Board. I may be wrong, but that is the position in which I think motor truck owners will find themselves under the Bill. Provision is also made in the Bill that no person shall drive a motor vehicle for more than 5½ hours in a stretch. If that period be exceeded, then penalties are provided. It seems to me that is a restriction which it will be very difficult to police. It is scarcely likely a man will drive a truck continuously for 5½ hours. There must be stops. Those of us who have travelled long distances on the roads, know that stops must be made. I do not think a man driving his own truck should be restricted in this way. Most men who have got out of the rut and become employers, have done so because they have

been energetic enough to put in a little extra work. Are we to make such a man a criminal because he drives a motor truck for a period longer than 5½ hours? I hope this provision will be amended.

Hon. J. Cornell: That provision imposes no more hardship than the Mines Regulation Act. That lays down the working conditions of the men.

Hon. A. THOMSON: But in that case, the working conditions are regular. Driving a truck along the road is a totally different proposition. In any case, a person would limit the period: he would not travel longer than he felt he was able to do. May I beg members not to be swayed by the statement that the railways belong to the people? I have used the railways for many years. In the past, I was a customer of the railways for over 30 years, and I never found that I owned very much of them. The statement is frequently made by members that farmers have their super and their wheat carried at a cheap rate and that therefore it is only fair and reasonable that the farmer should patronise the railway by using it to transport his wool and his requirements which are carried at a higher rate. I wonder if those who make that statement actually practice what they preach. I wonder if the man who says that would say to his wife, "You are going to a shop where you can buy something at a cheap price; therefore you have to buy all the rest of your requirements at that shop."

Hon. R. G. Moore: You could not do that. No man can control his wife.

Hon. A. THOMSON: That, however, is what the Bill is trying to compel the farmer to do. I hope the House will not be swayed by that line of argument. Let me make a comparison. We have in Western Australia a coal mining industry. I am pleased we have. It is estimated that, as a result of a recent arbitration, the Railway Department will save £40,000 in coal alone this year. Now notice how the coal industry has been treated in comparison with the wheat industry. The coal industry has not paid any royalty since it has been in existence at Collie, though the law provides that it shall. With a desire to assist the coal industry in the bunkering trade, the Railway Department provided boxes capable of holding a ton of coal in order to allow of expeditious unloading. The boxes could be lifted off the trucks and dropped into the

hold of the ship. The Railway Department also provided big hopper trucks of iron to allow of expeditious unloading of coal. No extra charge was imposed upon the coal industry for the provision of those facilities, and I am not saying there should have been. But let us draw a comparison. Take the wheat industry. If ever the wheat industry was faced with a serious financial position, it is to-day. We are receiving the lowest price for our wheat that has ever been paid to the farming community. We were desirous of reducing our costs and accordingly inaugurated the bulk handling system. Now the Railway Department have calmly increased the freight on wheat by 9d. per ton. Contrast that with the assistance given to the coal industry. It is remarkable, too, that while the flow of wheat to the coast is taking place, the quarterly balance sheet issued by the Railway Department does not show any loss. However, I am not dealing with railway freights. I am showing the assistance that was given to one primary industry, and how another primary industry, in its worst position, is being loaded with additional cost. I thank members for the very patient hearing they have given me. I certainly have spoken very much longer than I intended, but I consider the Bill is one of great importance, not only to the city people, but to the country people also. I sincerely hope that, after the second reading is passed and members have stated their views, the House will accept my suggestion to refer the Bill to a select committee.

HON. H. SEDDON (North-East) [8.30]: We are all deeply indebted to Mr. Thomson for the points he has raised in his speech. While we may not be able to go all the way with him in his suggestion to refer the Bill to a select committee, he has certainly indicated the extent of the field covered by the Bill. To ask the House at this period of the session to give anything like an intelligent vote on the Bill would necessitate our devoting all our attention to it and ignoring the many important measures that have yet to be considered. Several important Bills have not been touched, such as the Loan Bill, Appropriation Bill, Farmers' Debts Adjustment Act Amendment Bill, Purchasers' Protection Bill, and Financial Emergency Act Amendment Bill, and the mere mention of those measures will enable members to realise how utterly impos-

sible it is to give an intelligent decision on them as well as on the Bill now under discussion. Four distinct sections are covered by the Bill, which also embraces two of the most important transport interests, and either we must pass the Bill blindly or cut out many of the clauses and confine ourselves to one or two main points. The fields covered comprise passenger transport and goods transport, city transport and rural transport, and one field overlaps another to a certain extent.

Hon. J. M. Macfarlane: There is also aviation.

Hon. H. SEDDON: Yes, I intend to deal with that later. We should bear in mind that the field of transport is already governed by two Acts of Parliament. Road transport is controlled and protected by the Main Roads Act and by the Traffic Act and its numerous regulations. It appears to me that if we pass this Bill, we shall have a further duplication of legislation, because we shall have a continuance of the Traffic Act and its regulations while at the same time we shall be creating a new body under the authority of this measure. Thus we shall soon reach a state of affairs in regard to transport similar to that which prevails in the mining industry to which is applicable the Mines Regulation Act, Miners' Phthisis Act, Workers' Compensation Act and Mine Workers' Relief Act, all overlapping to such an extent that it needs a Philadelphia lawyer to disentangle the provisions and determine which ones apply to a given set of circumstances.

Hon. J. Cornell: You might also have included the Mining Act and the Inspection of Machinery Act.

Hon. H. SEDDON: That is so, and in spite of all that legislation, cases are constantly being presented to us that do not come within the four corners of any of those Acts and for which no regulation has yet been provided. If we pass this Bill, we shall probably find that we have created only a botch of legislation giving rise to all sorts of difficulties and endless confusion in a field most important to the welfare of the State. There is not the slightest doubt that the development of transport in recent years has brought its own problems, and this is an instance where we, in the interests of the public and of all concerned, might well hasten slowly. In spite of the contention of various members that the Railway Department should

be able to recover much of their lost traffic, the state of affairs existing in the metropolitan area is such that considerations of cost alone, quite apart from convenience, render it impossible for the department as an organisation to deal with many of the classes of traffic they have lost. The only way in which they could compete would be by creating a motor fleet of their own and entering the ordinary field of motor transport. To expect the Railway Department to convey goods from a warehouse at Fremantle to the railway, over the line to Perth, and then tranship them and land them in a city warehouse or shop, is impossible. The department could not collect anything like an adequate fee for the service, and certainly could not undertake the work at the figure that is possible to motor transport.

Hon. E. H. H. Hall: Or to convey goods from a city warehouse to the ship's side.

Hon. H. SEDDON: The same argument applies in that instance. As to passenger traffic, the motor buses have captured traffic that the railways and tramways have not been able to handle or have been unwilling to handle, and the motor interests have found it a field of usefulness to themselves. If we are going to pass legislation to control such traffic, we must be careful to ensure that it is not prohibitive legislation that will have the effect of handing over to such organisations responsibilities and costs that really belong to other services.

Hon. J. M. Macfarlane: We must aim to leave the people in a better position than they are in to-day.

Hon. H. SEDDON: Yes. As to the long-distance traffic, the Railway Department should be in a position to compete successfully, provided they have fair competition from the road services. One feature of this Bill is that it aims at curing the entirely unfair and unreasonable competition to which the Railway Department are subjected by motors carrying long-distance traffic. There is no reason why the Railway Department should not compete successfully against many of their competitors if they were given a free hand and anything like a fair deal. I again wish to refer to a point that has repeatedly been mentioned, namely the unfair burden placed on the Railway Department by handing over to them for operation railways that we know cannot possibly pay.

Hon. J. M. Macfarlane: On one line, there was a burden of £5,000 interest and £5,000 loss.

Hon. H. SEDDON: Dealing with railway capital account, a practice has obtained in the past that has been quite unfair. The department at times have shown a profit, but the profit has been taken into Consolidated Revenue, whereas, in justice to the department, such profit should have been written off the capital account. To the adoption of that course, no one could possibly have taken exception, and it would have resulted over all the years the railways have been operating in a considerable reduction of capital on which the department have to pay interest charges. If the Railway Department were permitted to carry on the function of a common carrier, relieved from unfair obligations, they could compete more successfully than at present.

Hon. J. J. Holmes: You are referring to long-distance traffic.

Hon. H. SEDDON: Undoubtedly. In the matter of local traffic, the provision for co-ordination is an entirely desirable feature. Take the suburban traffic: Had the department been allowed to equip the lines with small trains so as to give more frequent service—something in the nature of a Diesel unit drawing a coach or trailer—quite a lot of the passenger traffic could have been retained. Such a service might have been established between Armadale and Fremantle, and instead of requiring such a train to stop at all stations, stops could have been made where necessary to pick up passengers. Such a service would have been convenient to many people who at present patronise the buses because they provide a more frequent and quicker service.

Hon. J. M. Macfarlane: There is sometimes 1½ hours between trains.

Hon. H. SEDDON: Yes. A certain amount of the settlement in proximity to the railways would provide passenger traffic for the department functioning as I have indicated. I speak as one who for years was employed in the Railway Department. The whole policy right through has been to scrutinise closely every penny of expenditure. Any suggestion to spend money for the purpose of retaining traffic caught the eagle eye of the Treasurer, who was greedy to collect every penny he could get from the department.

Hon. E. H. H. Hall: The buses pick up people and land them practically at their doors.

Hon. H. SEDDON: That is so. A similar system could have been adopted for railway passengers at certain periods of the day so that a lot of the traffic that has been lost might have been retained. For the handling of heavy passenger traffic, there is only one satisfactory method, and that is by means of railway trains. That can be realised at peak periods by observing the large number of passengers who can be transported. A similar number could be handled only by fleets of motor buses enormously greater than those operating at the present time. I cannot see any justification for including in the Bill the division dealing with airplanes. The control of aircraft is fairly well undertaken by the Federal authorities, who supervise the machines and insist upon a fairly thorough inspection. The airplane is a costly method of transport. If ever there was a field of transport that should be allowed to find its own level, it is that of the airplane. For us to take control and adopt a system of licensing airplanes reduces the measure to another attempt to secure a few pounds for the revenue.

Hon. J. Cornell: That division ought to be struck out.

Hon. H. SEDDON: We can very well allow the question of controlling airplane traffic to stand over for a few years. One field for which aircraft are specially adapted is that of meeting emergency needs, either cases of sickness or providing transport for people whose time is so valuable that the question of cost is a minor consideration. In that field, neither motor transport nor railways can compete. It is a field which, by reason of the cost, stands on its own. I trust that the House will decide to delete that division of the Bill; otherwise it will mean merely an extension of our complicated system of administration and control. It appears to be a clumsy attempt to transfer to other transport interests burdens that rightly belong to the Railway Department. I have covered that ground pretty thoroughly, and other members have likewise done so, and I shall not traverse it again. It is certainly useless to try and compare conditions here with conditions in Great Britain. There the position is entirely different. The British railways have their own problems. They are overloaded by the amount of capital which has been expended

on them, and by the amount of waste or watered capital that was introduced during the great railway boom when lines were being constructed all over the country, quite regardless of the possibilities of obtaining traffic, with the result that the railway companies were cutting each other's throats by unfair competition. For many years the railway problem constituted one of the gravest problems with which Great Britain had to contend. Although to a certain extent the difficulty has been overcome by consolidation of many of the lines into a few main routes, the fact remains that British railways have a problem quite distinct from ours; and therefore no light is to be thrown from that source upon a problem associated with railways in a new State like Western Australia, where the Government owns all the lines except one. No comparison can be drawn between railway conditions here and those existing in the Old Country. However, there is no doubt that until and unless we deal with this question of railway finance, it is useless to attempt to co-ordinate or control the various forms of traffic facilities provided in this State. On the contrary, such an attempt would make the trouble worse, and we should come out in a far greater state of confusion than we are in at the present time. The railway problem, I believe, must be settled one way or the other before we attempt to deal with such a measure as this Bill. As regards the field that the proposed board are to cover, they are certainly given wide powers; but those powers are stultified as regards the really important questions upon which the board are to adjudicate, for example the question of the disposal of useless railways; for every decision the board arrive at, no matter how thorough and impartial their investigation may have been, must be referred to Parliament before it is given effect. Mr. Holmes stressed that point, and I quite agree with his views. I say quite plainly that members of Parliament would not dare to interfere even if the board's findings were such as to prove definitely that the service provided was entirely inefficient and wasteful. Judging by the actions of Parliament in the past, members would not dare to interfere, although they knew the service was inefficient, because of re-actions in their constituencies. Unless the board are given power to act on their own decisions in these matters, it will only be a waste of time and money to

allow the board to consider them. Undoubtedly there is a vast field for co-ordination in our transport services. Co-ordination is especially needed for control of the cut-throat competition which is taking place from many motor carriers who are competing with the railways. There is a system obtaining to-day of re-lay driving. People invest a few pounds in paying a deposit on a truck, and then they work all the hours that God made and cut their costs to the minimum by making no allowance whatever for depreciation. Such people compete with the established railway service, which is subject to industrial awards; and that kind of competition is entirely unfair. Yet it is taking place to a great degree, and there is need for control in some direction or other to deal with that unsatisfactory state of affairs. After all, legislation has grown up as an attempt by the community to control unfair methods in many business and commercial activities. Here is a field which has grown up by the development of motor transport and which certainly is in urgent need of control. That part of the Bill is only commendable, although I fail to see now a board of this kind could be expected to act as a sort of policeman or Arbitration Court and still carry on its other function of co-ordinating services. Now to come to the all-important question of the constitution of the board. It is recognised throughout the community that everything depends upon the personnel of this most important board. Many suggestions have been made with regard to the composition of the board, with regard to its numbers, and with regard to the nature of representation on it. I would like to suggest that if we are to have a board capable of functioning successfully, it must first of all be an impartial board, and secondly, a board consisting of members trained in the taking and sifting of evidence. Thirdly, the members of the board must have a pretty wide view and a pretty wide knowledge of all the various branches of activity which obtain in this State. If we must have a board of that description. I say we have one ready-made. We could transfer the members of that ready-made board to the proposed board, and I do not know that they would not do the job quite as well as any members suggested already. The board I have in mind is the Arbitration Court.

Hon. J. Cornell: What is wrong with a one-man board?

Hon. H. SEDDON: I suggest the Arbitration Court first of all because the Chairman is a jurist, and secondly because the other members of the board have had experience in sifting all kinds of evidence, so-called and real, which has been placed before them by various organisation for the settlement of disputes. The members of the Arbitration Court have gained an insight into all the various activities in which the people of the State engage. A third reason is that my proposal does away with the suggestion of political appointments, which undoubtedly are undesirable. The members of the Arbitration Court are qualified in every way to carry out the functions assigned to the board.

Hon. J. Nicholson: Would you suggest closing down the Arbitration Court, then?

Hon. H. SEDDON: Not for a moment. But the members of that court should have a broad outlook and a sufficiently developed judgment to deal with many problems which will come before a board of this kind.

Hon. C. F. Baxter: Will not they be kept very busy?

Hon. H. SEDDON: Undoubtedly.

Hon. C. F. Baxter: They are over-worked now.

Hon. J. Cornell: The Canadian Government gave one man 21,000 miles of railway to manage.

Hon. H. SEDDON: The Canadian Railways are different from ours. I do not know that our farmers would be altogether pleased if we introduced American and Canadian methods of handling railways. There would certainly be a great change in the handling of transport and traffic, and there would be many complaints as well as, perhaps, much commendation. A question which occurs to my mind is, just exactly how much of the function of the board is to be true co-ordination of traffic and how much is to be simply the production of revenue. Clause 14 sets out that the board are to take 10 per cent. of the gross earnings of all bus services.

Hon. G. W. Miles: That is a mis-print; "gross" should be "net."

Hon. H. SEDDON: It is printed "gross," and was debated as "gross" in another place. What is the object of the Bill? Is it a true traffic co-ordination measure, or is it simply

another means of raising funds for the Government to spend? From the speech of the Chief Secretary and from utterances in another place, I cannot gather why the board need all the money they are going to collect in the way of license fees and taxes on gross earnings. I ask hon. members how many businesses of any description there are, which, if 10 per cent. of their gross earnings were taken from them, would be able to carry on. I say, very few. From the insight I have had into the balance sheets of certain omnibus companies I say that if we introduce a provision to charge 10 per cent. on their gross earnings, we shall simply put them out of business. It amounts to introducing another method of indirect taxation on the general public, and paying the proceeds into Consolidated Revenue. So far as I can gather from the Bill the work of the board is to be supervisory, and they are also to make certain investigations. It has been suggested that the board would not require more than a skeleton organisation. With such an organisation and with such a field of work, I fail to see how the board can require the whole of the funds which will be coming to them under the Bill.

Hon. J. CORNELL: It was said the Whole Milk Board would be a skeleton organisation, and look what it is now!

Hon. H. SEDDON: While on the question of revenue production I may draw attention to paragraph (d) of Clause 10, which authorises the board to invite premiums for the permission to establish omnibus routes. That, in my opinion, is a direct attempt to obtain revenue. If the board are to call tenders for certain routes, surely those tenders should be based on the idea of securing the cheapest and most efficient service for the providing of transport in that particular area. If a tenderer is to be allowed to include the premium in his charges, obviously that will be a taxing machine on the general public.

Member: What about the cutting up of roads?

Hon. H. SEDDON: The provisions of the Traffic Act were devised with the idea of making motor transport pay for the upkeep of the roads on which it operates. If the charges under the Traffic Act are not high enough, why not raise them under the Traffic Act? Why introduce this additional method of taxation to make up any losses incurred under the Traffic Act? The simplest

way would be to raise the charges under the Traffic Act, which are based on the principle of making motor transport pay its share towards the maintenance and upkeep of roads. Motor traffic is already subject to Government imposts in the way of taxes on petrol and license fees, and a hundred and one other charges. In view of those charges and imposts it is a very difficult task indeed to determine, by analysis, how much of the total represents legitimate payments towards the maintenance of roads and the necessary organisation of a roads policy, and how much represents simply a subterfuge in the way of raising additional revenue. If tenders are to be invited for the provision of transport in any particular area, there should be no question of demanding premiums, but the tenders should simply be based on the cost of providing the service, thus giving the public cheap and efficient communication. The whole question of deciding who is the successful tenderer should be determined on those factors. After all, there is a great deal to be said for the people who jumped in and seized the opportunities and by their own private enterprise provided service. After all, the progress of this State is due largely to men who have seized opportunities and taken obligations upon their shoulders. By hard work and close application they have established sound business enterprises. Unfortunately, it has been the policy of Governments throughout Australia, as soon as any material success was achieved along those lines, to regard the persons or organisations as a beautiful field for taxation. By the imposition of that taxation, the charges to the public for services rendered were correspondingly increased. From that standpoint, the whole question should be reviewed and private enterprise should be accorded a little more consideration than has been experienced in the past. There is an important difference between public finance and private finance. Private organisations or persons that desire to provide a service or enter into any particular avenue of occupation, take the whole responsibility and, if unsuccessful, have to sustain the whole loss and take all the burden. On the other hand, should a Government establish a similar organisation, or provide a similar service, losses are almost inevitably incurred and they are placed on the shoulders of the general taxpayer. As the necessary equipment is invariably pro-

vided from Loan Funds, the whole community has to pay interest and sinking fund charges for 50 years or more to make up the loss consequent on the Government entering upon an unsuitable field for State enterprise.

Hon G. W. Miles: Hear, hear!

Hon. H. SEDDON: From that standpoint, the powers to be vested in the board should be closely scrutinised. The House should see that no attempt is made, as in the past, to throttle organisations or, on the other hand, to convert them into media for taxation purposes. I have dealt slightly with the question of industrial conditions, and undoubtedly that phase requires investigation. There is not the slightest doubt that motor transport established in competition with the railways is not only cut-throat but only too frequently is carried on by owners under conditions that if they asked employees to observe would be regarded with abhorrence as amounting to sweating.

Member: Those conditions could not be enforced.

Hon. H. SEDDON: Where such conditions obtain, the board will be able to make the necessary investigations. Some of these men are carrying on operations that may be regarded by some as evidence of business acumen, but the conditions they are working under are such that they will knock themselves to pieces and in the end they will be hopelessly broke through undertaking transport activities at rates that cannot be justified. Particularly would that be indicated if their accounts were submitted to an ordinary accountant for investigation.

Hon. A. Thomson: Unfortunately that applies to all walks of life.

Hon. H. SEDDON: And that is why we have legislation. The hon. member cannot point to any avocation in connection with which legislation has not been introduced to control entirely unfair competition.

Hon. J. Cornell: That is why we have Sunday trading.

Hon. H. SEDDON: And that could very well be done without. Undoubtedly, some appeal should be provided against the decisions of the board, unless we are to have on the board a man with the qualifications of a judge. If that is not done, we will leave the proprietors of various forms of motor transport at the mercy of a board that may not operate in the best interests of the public and may be swayed by motives such as

I have already outlined. In that event the board, in the long run, might do more harm than good to the community. We are faced with the further progress that to-day characterises so many countries and activities. We have to decide whether we will adopt the old policy of hampering and bad control or, on the other hand, a policy that is wise, with effective control, but with the right of appeal as I indicated. In some circumstances, I think the Bill is not adequate. It does not embody any indication of what portions of the Traffic Act that now deal with transport matters, are to be taken over under the new legislation. The Bill, as it has come to us, is, to that extent, in an unprepared condition. We should consider whether we have time to thoroughly revise the measure, or whether we should confine it to one or two salient features, making it workable from that standpoint without attempting to deal with anything else. We should also consider whether we should refer it to a select committee and defer the further consideration of the Bill until after the committee have made their investigations and reached a mature opinion on its contents. For my part, I would not like to accept a seat on the select committee. The task will be a very difficult one and unsatisfactory in its results. If all the other legislation to be placed before us were set aside, even then we could not do justice to the Bill in the time at our disposal.

HON. C. F. BAXTER (East) [9.6]: I find myself at variance with the last two speakers not only with regard to the select committee proposal but with reference to the suggestion that we should not speak at any length on the Bill at the second reading stage. If the legislation is to be of any use at all, wide powers must be vested in the board. I have several amendments on the Notice Paper and probably will have still others to place before members in Committee. I do not agree with the provisions of the Bill in their entirety but I consider that we should pass the second reading and I am strengthened in the hope that members will be successful in securing amendments that will make the measure more workable. The great fault I find with the Bill is that it is at least 10 years overdue.

Hon. J. Cornell: You had an opportunity during the last three years to introduce a Bill.

Hon. E. H. Harris: Why did you not introduce a Bill?

Hon. C. F. BAXTER: I like those interjections! My memory goes back to the hard and difficult fight we had with regard to the Traffic Act Amendment Bill. Members who have interjected so freely did not help very much when that legislation was before the House.

Hon. J. Cornell: The Traffic Act was passed in 1913.

Hon. C. F. BAXTER: I refer to the Bill that was introduced to amend the Traffic Act more recently. That affected the position in some directions that are dealt with in the Bill. Therefore the Mitchell Government did move to a certain extent along the lines suggested. It must be remembered, however, that during those three difficult years, the then Government had Bills of more vital importance to deal with. They had the financial emergency legislation that was a source of much worry to the Government and to Parliament. That legislation was necessary to deal with an extraordinary position. Now we are considering a measure that is important because it affects the means of transportation available in this State. We must have regard to the demands of the railway system that has cost the people £25,000,000. In days when money was easily obtained—I have in mind the Federal aid roads grant—the State constructed highways parallel to the railway system.

Hon. A. Thomson: You could not avoid that.

Hon. C. F. BAXTER: The roads could have been constructed on a different basis.

Hon. A. Thomson: But surely you would desire roads to be constructed between towns.

Hon. C. F. BAXTER: The roads could have been constructed between towns but in such a way as not to encourage such direct competition with the railways. That phase must receive adequate consideration. Interests that have been created as a result of that roads policy must receive consideration, too, because they cannot be wiped out offhand by Act of Parliament. That is where the board will come in. Mention has been made of the Victorian Bill; that measure has passed the Legislative Assembly but is still before the Legislative Council. My information is that the Bill will be passed in its present stage.

Hon. G. W. Miles: They did not rush it through there.

Hon. C. F. BAXTER: Perhaps so, but that Bill goes much further than the measure before this House.

Hon. A. Thomson: It is more liberal in some directions.

Hon. C. F. BAXTER: But more drastic in other directions. I invite Mr. Thomson to go through that Bill.

Hon. A. Thomson: I have.

Hon. C. F. BAXTER: So have I, and it is much more drastic. We can go further afield and cite the position in a country where they grappled with the question early in the piece. As a result, the situation there was not so drastic as it has become in Western Australia. I have in mind South Africa, where a board was established and vested with far greater powers than it is proposed to give the board suggested in the Bill before us now. In South Africa the board has operated very successfully. The whole essence of the Bill is concentrated in the board. It has been said that the board will be vested with too much power.

Hon. J. Cornell: There are provisions in the South African Act that would not be tolerated in this country.

Hon. C. F. BAXTER: That is so. In fact, if the Bill were in the form of the South African Act, I would be in a totally different frame of mind to-night. Nevertheless, that Act has proved the salvation of the transport system in South Africa, where the position is now on a sound footing. The proposed board here will not have anything like the powers of the South African board. Nevertheless the board must have great power. I do not say the board should be all-powerful, because I will have something to say on that point when we reach the Committee stage. If the board were not vested with extensive powers, we would merely waste time in considering the Bill. The measure is one that can best be dealt with at the Committee stage. While I support the second reading, I reserve to myself the right to seek to have it amended along the lines indicated on the Notice Paper and in other directions that may occur to me. Perhaps we may yet be able to convert the Bill into a measure satisfactory to all concerned. I hope we shall be successful in making it equitable, so that it will be acceptable to all sections of the community. We should not pass it in a form that will destroy the work of individuals

who have been energetic enough to establish conveniences that have been beneficial to the public.

On motion by Hon. J. M. Macfarlane, debate adjourned.

BILL—EMPLOYMENT BROKERS' ACT AMENDMENT.

Second Reading.

Debate resumed from the 29th November.

HON. J. NICHOLSON (Metropolitan) [9.15]: The appearance of this Bill on the Notice Paper serves to recall that a Bill of a similar character came before the Chamber five or six years ago. On that occasion the Bill was freely criticised and so effectively amended that it did not receive acceptance when returned to another place. The Honorary Minister, in moving the second reading of the Bill now before us, cited certain cases of hardship suffered by employees at the hands of certain employers. Whilst it may be quite true that there are black sheep in every flock, the cases quoted by the Honorary Minister might be multiplied by cases of an entirely opposite character, where loss was suffered by employers as the result of the action of employees. It would be idle to say that all the virtues are on one side or on the other, for there are bad employers just as there are bad employees. However, one desires that whatever legislation of this nature is introduced, it shall be of a character which will not either hamper the employer in his work or do an injustice to the employee. The Honorary Minister also furnished some instances of abuses of the existing Act by some employment brokers. Those, I venture to suggest, are probably his main justification for desiring some tightening up of the provisions in that Act. It is proposed to regulate the appointment and charges by brokers more strictly than they have been heretofore; but I hope it is not intended by the Bill actually to destroy the business or occupation of the employment brokers, for I think it may be claimed for brokers generally that they have performed a very useful service for the public and therefore there should be some security given to them. It may be clearly shown that it is only in one or two isolated cases that the abuses referred to by the Honorary Minister have really occurred. There are some new principles introduced in the Bill. One of

them is to place on the employer the whole of the liability for the brokers' fee, instead of as at present making it an equal contribution by both employer and employee. I would put forward the plea that there is in vogue at present and has been for a good many years the Labour Bureau, which provides opportunity for those who seek to avail themselves of a free service. There is no obligation placed on anyone to go to an employment broker; but the very fact that those employment brokers apparently can serve the public, and that the public go to them and ask their aid, either on the part of the employer to find servants or on the part of a servant to find employment, is evidence that there is need for the employment broker to be continued in his business, and that the Labour Bureau does not supply that essential need which apparently has grown up in our midst; just as it has been found that the railways and other services do not entirely meet the requirements of the public, and that in consequence the motor vehicle has come into supply those requirements. It is desirable to refer to certain clauses of the Bill in order that members, when in Committee, shall more fully understand them. For example, in Clause 4 a proviso has been added that if the inspector shall consider that any place of business of an employment broker is unsuitable, he may refer the application for a license to the court, and such place shall not be registered unless the court so orders. There is something of the same nature included in Clause 8, which provides an amendment to Section 9 of the principal Act. There we have provided the objections which can be raised to the granting of a license to an employment broker. Amongst those objections are the contingencies that the applicant has suffered the forfeiture or cancellation of any license, that the reasonable requirements of the district do not warrant the granting of a license, or that the premises in which the applicant proposes to carry on his business are unsuitable for the purpose. As we have seen, in Clause 4 the proviso is added giving the inspector power to refer the question of suitability of the premises of the broker to the court. If members, when in Committee, should agree to the insertion of this proviso, it will mean that the employment broker will not get notice of the objection, which he would have if the reference to the unsuitability of pre-

mises were carried in only as an ordinary objection under Section 9. Under the provision in the principal Act it is stated there is no need for notice of that objection to be given by the court to the applicant for a license, whereas if the objection is taken by, say, a local authority or a police officer or the inspector under Section 9 of the principal Act, then the applicant must be given certain notice. I think the proviso should not be carried in there at all, and that the objection should be left as an ordinary ground of objection. Then I should like to direct attention to Clauses 3 and 15, for they require serious consideration. Clause 13 provides that no employment broker shall accept or receive from any person seeking employment, any fee, and the whole liability for the fee is placed on the employer. It will be for members to consider whether that principle can or cannot be adopted by them. If they feel they cannot depart from the provision in the existing Act, whereby it is provided that a fee is payable in equal moieties by the employer and the employee, then certainly amendments will be required in that clause. That clause was in the Bill which came before the House a few years ago, and it was rejected by the House. I can hardly think anything has occurred to justify an alteration in the opinion that was then expressed by various members. Clause 15 places a new responsibility upon the employer; at least, there has been an endeavour made to express something that has been partly carried out as an ordinary understanding between the employer and the employee. It is usually understood that when a man or a woman is employed to go into the country, the fare of that person is paid provided the person remains in the employment, say, six months in a certain district or three months in other districts.

The Honorary Minister: There has been a variety of arrangements.

Hon. J. NICHOLSON: In some places the period of six months, in others it is three months. Probably in the more remote parts it would be six months and in the less remote parts, three months. If the employee remains for the fixed period, his fare is paid, but if the employment ceases before the expiration of the period, then the fare is not paid.

The PRESIDENT: Would it not be better for the hon. member to deal with all those details in Committee, and on the second reading deal with the broad, general principles?

Hon. J. NICHOLSON: Very good. I do not want to take up the time of the House.

The PRESIDENT: I merely make the suggestion.

Hon. J. NICHOLSON: I thank you, Sir. I was thinking I might clarify the position for members so that they could deal better with the clauses when the Bill reaches the Committee stage. I would particularly like to draw the attention of members to Paragraph (a) of the proposed new clause, which provides that the employer shall pay the fare of the servant from the place of engagement to the place where the servant is to work. The Minister no doubt will agree that that is a difficult provision to construe. If he studies the clause, he will agree that it hardly expresses what is really intended. There are other clauses in the Bill which can be better considered in Committee. I am not saying there is no need for the Bill. It is right that there should be some regulation in matters of employment, so that any abuses that may occur can be checked. I do not propose to offer any objection to the second reading of the Bill, but I shall certainly suggest amendments when it is in Committee.

HON. C. H. WITTENOOM (South-East) [9.35]: Although there are one or two clauses of the Bill to which personally I strongly object, I intend to vote for the second reading. I listened with much interest last week to the remarks of the Honorary Minister, and I am indeed pleased the Government have seen fit to bring down the Bill. Generally speaking, there are some good points in it; on the other hand, in my opinion, there are some very bad points. The latter, I hope, members will strongly oppose during the passage of the Bill. The time has arrived when the law governing employment brokers' offices, or what are generally known as registry offices, should be tightened up. Certainly the cases which the Honorary Minister mentioned, and which he said could be verified by an inspection of the files, give us food for thought. No doubt many abuses are being committed, but not by all the agencies, nor even by most

of them. There are abuses not only by the agencies, but also by employers and, of course, employees. I have at various times done a great deal of business with several of these offices, and I must say I have not come across cases as bad as those mentioned by the Honorary Minister last week. At the same time, I do not suggest for a moment that the cases he mentions are not authentic. The Minister referred to gangs of employees who were engaged to go into the country. One of the terms of their engagement, if I remember rightly, was that their fares would be paid if they stayed for a fixed period. The Minister then went on to say that before that period expired the employees were dismissed. As far as I remember, I do not think he said they were dismissed for misbehaviour or for any particular reason; they were merely put off just before the period expired. If that be so, then the dismissed employees had a good case. They had merely to consult a lawyer, or put the matter in the hands of a union secretary, and, provided there was a properly drawn up contract, duly signed and witnessed, those employees would have had no trouble whatever in getting satisfaction. On the other hand, if the contract was not properly drawn up and completed, then the employees practically got what they asked for. The Bill makes it a punishable offence for an agent to misrepresent a case. That is quite right. There is nothing worse than to send an employee to a place on the understanding that he is to do a certain kind of work and be accommodated in a particular manner and then for him to find out that he has to do work that does not suit him and has to accept accommodation with which he is dissatisfied. That should be made a punishable offence. I also agree that it should be compulsory for the employer to pay the fare of a worker to the place of work; but, in the event of the employee leaving the work before the agreed time, then he should not be paid his fare. That is only right. I am in accord with the Bill and am certainly of the opinion that this legislation is necessary to stop the occurrence of cases such as the Minister mentioned. I cannot help thinking, however, that underlying the Bill is a suspicion that it is designed to do away with registry offices altogether. Some years ago—I cannot remember the exact year—legislation was introduced with the

object of doing away with these private agencies. We know that that Bill did not meet with the approval of the House, and apparently amendments were carried that were not acceptable to the then Government. I read very carefully the speech of the Minister who introduced the Bill in another place and I am still of the opinion there is a suspicion that the Bill is designed to do away with the private agencies. During the course of his speech, the Minister in another place referred to the reforms that had taken place in other countries, and I must say that most of those countries were hardly those whose example Australia would care to follow. He probably would have strengthened his argument had he been able to mention the United States or even the other States of Australia. The only Australian State, so far as I can gather, that has done away with paying agencies is Queensland. In the United States only two States have adopted that course. As I have said, I have done a fair amount of business with the agencies. They have sent men to my station in the North and also sent them to me in Albany, where I live. While there have been failures amongst them, I have been fairly well satisfied with them. The assistance the agencies have given me has been beneficial. I feel confident that if these agencies were closed down, it would add to the disabilities of people living in the country. We know that a monopoly in any business is not good, and a monopoly in a business of this kind, especially if it were under Government control, would be anything but good. It should also be borne in mind that these agencies employ a large number of workers and if they were closed down those workers would be thrown out of employment. So far as I can see, neither employer nor employee desires any drastic change in existing conditions. There are two agencies—the Minister himself mentioned them—which do not charge fees.

Hon. F. H. Harris: What do they live on?

Hon. C. H. WITTENOOM: I should have said that they do not charge the employees fees. In spite of that, they do not get the majority of the business. That still goes to the private agencies. If employees object to paying fees, there is nothing whatever to prevent them from going to the two agencies

I have referred to. One is the Pastoral Labour Bureau, which is a particularly well managed business; the other is the Government Labour Bureau. The fact remains that the employees prefer to go to the private agencies. The reason, I think, is that the private agencies have worked up a clientele; they get to know what suits both the employer and the employee and so satisfy both parties. All employees certainly do not patronise the agencies that render the service free to them. I have two objections to the Bill. I object to the proposal that an employer engaging through a broker should pay the employee's fare regardless of the time the man or woman remains in his employment. I also object to the proposal to compel brokers to provide their services, offices and machinery, free to employees unless the brokers desire so to do. That provision is altogether too drastic, and I do not see why it should have been imported into the Bill. It supports what I have already said, that I consider this Bill is a step in the direction of doing away with private agencies. If that clause be passed, we shall have gone a long way towards facilitating the abolition of private employment agencies. We know what the custom is; the Minister explained it. If an employee accepts a place and stays a certain time—it may be three months or six months—his fare to the job is paid. In a good many instances in the North, if an employee stays a certain time, not only is his fare there paid but also the return fare is paid. In cases of misconduct or false pretences the employer may recover from the employee in a court of law, but why should the employer be put to the trouble and expense of prosecuting a complicated case? The difficulty of proving false representation or incompetency is great. An employee might accept an engagement far away from the city merely with the object of getting his fare paid to that place. He might make himself objectionable in order to be dismissed, and the only recourse the employer would have would be through a court of law. Were the employer to take such a case to court, he would probably lose more than he recovered. The arrangement that has been in vogue has stood the test of time, has proved satisfactory and should be permitted to continue. When an employee knows that he will be paid his fare if he remains in the position for a certain period, he is more likely to be con-

tented and interested in his work, and that would probably induce him to stay longer. I do not think so many people would employ brokers if they were required to pay the fare both ways, as the Bill provides. They would probably employ people with whom they had got into personal contact and whom they could engage without the aid of employment brokers. One provision of the Bill stipulates that at the conclusion of the engagement sufficient money is to be given to the employee to pay his journey home. The employee, however, may have no wish to return to the city; he may desire to accept work on a neighbouring farm or station. It does not seem right to include a provision of that kind. I would have less objection to the abolition of fees were it not for the fact that it would encourage irresponsible employees to undertake engagements and, at the last minute, change their minds and refuse to go. If they had to pay half a week's wages or even if it were made a quarter of a week's wages, they would regard their engagement more seriously. Employees do not regard the payment of a small fee as any great hardship, because the majority seek employees at places where fees are charged. Apparently an amendment proposed in 1918, whereby the employee was not to be charged more than the employer, would safeguard the position. The Bill contains several good points, one of which is that applicants will be facilitated in getting their licenses. If an employer applies at more than one office, the contract should not be completed until all agencies have been notified. It is only right that road boards should be permitted to grant licenses just as are municipalities. Many points to which I object are capable of being rectified, and in the hope that they will be remedied in Committee, I shall support the second reading.

HON. E. H. HARRIS (North-East) [9.52]: I have read the Bill carefully and have compared it with measures that have been previously presented for our consideration. In 1925 a comprehensive Bill was submitted to us under the title of "Labour Exchanges Bill." That measure created considerable discussion, and, after being vigorously amended by this House, was laid aside in another place. In 1927 the then Labour Government introduced a Bill of which the present Bill is practically a replica, except that we now have the addition of two or three new clauses which are important to

those people engaged in the industry as well as to those who patronise employment agencies seeking work. There is a bit of a bite in some of the new clauses that justifies close scrutiny by any member who watches carefully the legislation presented to us. The Honorary Minister, when moving the second reading, spoke of the rich harvest reaped by some employment brokers because of the depression, and he said the time had arrived when the Act should be amended. When the Bill of 1927 was submitted the Minister said the main feature was to remove from the Licensing Bench the licenses granted under the Employment Brokers Act. After the Bill had been drastically amended in this House, it was returned to another place and members of the Government appeared to have been peeved at not getting as much as they wanted. They abandoned the Bill, at the end of the session, which showed conclusively that the so-called main object for introducing it was merely a figure of speech. If that was all the Government had desired, they would have accepted the Bill with the amendments made by this House. The Honorary Minister has again used a somewhat similar argument, and if he will give us an assurance that that is his intention, notwithstanding that we may amend the new clauses, I think he will receive practically unanimous support on the second reading vote. I hope he will get good support, because it is highly desirable that the Act should be amended. At the same time I cannot agree with the drastic amendments included in the Bill. The discussion of the detail, however, may wisely be deferred until the Committee stage is reached. Some employment brokers have charged fees to employers and some to employees. I consider that both parties should pay a fee to the broker who brings the employer and employee together. I do not suggest that one side should pay the lot. I do not approve of the provision in the Bill that no employment broker shall accept fee or remuneration other than what may from time to time be prescribed by regulation. The regulation could be altered from time to time and the fee could be so whittled down as to compel the closing of all private agencies. By fixing a fee of, say, 1s., no person could run an employment broker's business. There should be a prescribed fee set out in a schedule to the Bill. The Government could suggest a rate and the figure could be discussed. Only a handful of em-

ployment brokers are carrying on business, and they are chiefly in Perth. Their opinions could be obtained and a fair rate could be determined. The Honorary Minister objected to the two classes of business—that of employment brokers and matrimonial agencies—being conducted in the one office, and said he desired to remove the employment broking business from the jurisdiction of licensing magistrates. The Minister might have advanced his reasons for the objection. What happens in a Government labour bureau? A man in search of work making application to any clerk of courts may have to wait while the official is tying the nuptial knot for a couple who happen to be in court.

The Honorary Minister interjected.

Hon. E. H. HARRIS: The Minister did not detail his objection to the association of the two agencies. He contented himself by making a passing reference to an employment agency being conducted in conjunction with a matrimonial agency. So soon as I heard him, my mind ran through the labour exchanges in various districts where the business is transacted by one individual.

The Honorary Minister: Most hon. members are satisfied on that point.

Hon. E. H. HARRIS: I am satisfied that there is a case. The Honorary Minister quoted an instance where 20 applicants each paid 10s. or 20s. as a fee, the successful applicant being eventually determined by lot. After a long period the broker was apparently persuaded or prevailed upon to return the fees to all but the successful applicant. The Honorary Minister uttered what, in my opinion, was a cheap gibe against the broker by speaking of "the few shillings which these people could ill-afford" being held by the broker. Let me give an illustration of a case where an industrial job is offering and preference to unionists obtains. How many workless men would immediately turn round and say, "I will not have a chance unless I buy a union ticket"? So 20 union tickets are sold at 25s. each in order that men may qualify for the job. What happens? If the successful applicant is determined by lot or by some other method, that successful applicant naturally smiles, and the other applicants walk away. In the case quoted by the Minister, the unsuccessful applicants got their money back. In my illustration the unsuccessful applicants do not get their money back.

Hon. L. B. Bolton: They do not always get their money back from the broker.

Hon. E. H. HARRIS: The unsuccessful applicants in my illustration hold their tickets for 12 months.

The Honorary Minister: The hon. member surely does not quote his illustration as a genuine case?

Hon. E. H. HARRIS: I will carry the matter a little further, if that is the Honorary Minister's attitude.

Hon. G. Fraser: Do you suggest that everyone who gets a job from the Labour Bureau must have a union ticket?

Hon. E. H. HARRIS: I am putting up a hypothetical case. Let me take it a stage further and see how it works out. The 19 unsuccessful applicants holding union tickets apply for another job subject to preference, putting in their tickets with their applications. But the tickets are not recognised, because the job is in another line of industry. There are applications now before the Arbitration Court in which a number of unions affiliated with the Labour Party are asking the court not to register certain men. I could quote a passage from "Hansard" in which Mr. Gray some years ago, when Sir Walter Kingsmill was in the Chair, said that the trouble was that in some cases a man had to get into two or three unions. That hon. member, an ex-union secretary and member of the Tally Clerks' Union, used that argument in this Chamber. It is utterly unfair that the unions do not all accept tickets from other organisations. If a man holds a union ticket, he should be able to use that ticket as a passport into any other organisation registered under the Arbitration Act. The Honorary Minister gave another illustration. He said that a factory inspector had learnt that some employment broker kept a special register, filled with elaborate detail, and that he got information about a man who was likely to leave a job, and that then he gave early intimation of the forthcoming vacancy to a suitable man registered with him. Say that John Jones is leaving a blacksmith's job to-morrow. Then the man registered with that employment broker would get early information of the vacancy and probably secure the position. Does the Honorary Minister suggest that it is desirable to enact a provision whereby the employment broker would be prohibited from taking a fee from

a man to register him for a job for which he was specially qualified? I see no particular objection to such a procedure.

The Honorary Minister: I do not suppose the hon. member would.

Hon. E. H. HARRIS: If there was a vacancy in a business and the manager rang up a union secretary and said, "I want a qualified driver," would the secretary look down the list and decide which of his members had been out of work longest and send him along to the employer? Not at all. The union secretary would do as this employment broker does. The union secretary would say, "So-and-so is a man with qualifications for that particular class of work," and send him along to the job in exactly the way the Honorary Minister suggested should not be allowed. I just mention those things by the way. This is essentially a Committee Bill. The drastic clauses are No. 13, which is quite new, and No. 15. I shall not go into detail concerning those clauses, as there will be opportunities in Committee. Clause 19 provides that the employment broker shall retain in his registered place of business all letters, telegrams, and details concerning an applicant for employment. In a circular which has been sent out, some employment brokers raise objection to that provision. The clause is lengthy, comprising 30 odd lines. In my opinion, the clause could be considerably condensed, at the same time providing all the information that the inspector would require from the employment broker. Personally I think that in any event the broker would keep a complete record of business transacted, and this would be available for the inspector when he comes to the premises to look into things.

The Honorary Minister: I am advised that the employment brokers are in agreement with that clause, as it is for their protection.

Hon. E. H. HARRIS: It may be for their protection, as well as for the protection of others. The Bill refers to the repayment of train fares. Is it intended that the payment of fares of an employee travelling to or from work shall be limited to those paid for train travelling? There are many places in Western Australia where it is necessary to travel by motor car, or even by horse vehicle. Are not those fares to be covered as well?

Hon. J. J. Holmes: If a man were travelling to a position in the North, he might be a week on the boat and then travel by motor to the station.

Hon. E. H. HARRIS: Yes, and if a man were engaged for a job at Wiluna, he might be able to get a seat in a motor car at a cost of £1, whereas the fare by rail would amount to two or three times as much. I will support the second reading, but some of the clauses will require considerable amendment in Committee.

HON. C. F. BAXTER (East) [10.12]: Two of the clauses included in the Bill, if agreed to, will create a serious state of affairs for employers. Clause 13 represents the third attempt to secure an amendment along the lines suggested with regard to fees receivable by employment brokers. In 1912 an amendment was introduced that meant the broker's fee would be a charge against the employer and employee. In 1918 another attempt was made and it provided that any charge made should be applied equally between the employer and the employee. Now the amendment before the House simply means that if agreed to, the business of private employment brokers will be closed altogether.

Hon. A. Thomson: That is the intention.

Hon. C. F. BAXTER: There is no doubt about that. That would create a serious state of affairs. With all due respect to the Labour Bureau, I claim the officials of that Government department are placed in such a position, through no fault of their own, that they cannot render the services to employers that the private employment brokers can. The Labour Bureau officials have a list that they have to follow. I can speak from actual experience because I have tried both. It is some years ago now since last I troubled the Labour Bureau, and it will be a much longer period before I have any dealings with them again. The reason for that is that I could not get the service from the Labour Bureau that I could from the private brokers, who will search about in order to secure the services of a person suitable to the requirements of the employer. Surely when such services are rendered, the brokers are entitled to some remuneration that will enable them to make a living. Although I have not had the experience myself, I agree that there have been abuses of

the system. I have read of some, but I think that position can be controlled. Merely to wipe out the employment brokers is not the proper way to control the position. Clause 13 sets out definitely that the private employment brokers shall not charge any fee whatever for any service rendered to the employee, but they may charge the employers out of pocket expenses incurred. Is it not likely that an employee might desire the broker to despatch a telegram or render other services on his behalf? In those circumstances, should not the employee pay something for that service? Then Clause 15 deals with the obligation of an employer to repay an employee's fare on engagement and also to pay his fare on the termination of an engagement, unless the employee is dismissed for wilful misconduct or incompetence. The present practice is that the employer pays half the fee, which I think is right. That provision could be made mandatory. Then the employer pays the fare should satisfactory service be rendered by the employee over a period of three months. I think, for the most part, that course is followed by employers who in many instances have been most generous. If the employee is to pay no fee whatever to secure a position, it will cost him nothing at all to reach his place of employment, irrespective of what the distance may be. In those circumstances, what will he care whether he fills the position satisfactorily or not? There is a certain type of individual prepared to go for a trip any time any where at another person's expense. The other day I was told of a person at Fremantle who has trips to Colombo and other places without any expense to himself at all. He simply goes on board a ship and bluffs his way through.

Hon. E. H. Gray: He must have personality.

Hon. C. F. BAXTER: Mr. Gray knows the instance very well. That points clearly to the fact that a person of that description will find the door wide open for him to indulge in his hobby. That should not be permitted. If we agree to the two clauses I have referred to, it will make the position of employers extremely difficult. I support the second reading of the Bill, but I shall oppose Clauses 13 and 15 very strongly. Should they be agreed to, I do not see how it will be possible for private employment brokers to continue in business. It will throw the

work on the Labour Bureau and that will reduce the position to a state of chaos. The employers in that event will probably have to form an organisation for their own protection so as to cater for their own interests with regard to labour. They know that they cannot secure any satisfactory service from the bureau because of the list that has to be followed. Should the officials of the Labour Bureau depart from that list in making engagements, they are soon brought to book and have to follow the list assiduously.

On motion by Hon. V. Hamersley, debate adjourned.

House adjourned at 10.20 p.m.

Legislative Assembly,

Thursday, 7th December, 1933.

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The SPEAKER took the Chair at 4.30 p.m. and read prayers.

QUESTION—SHARK BAY, NAVIGATION.

Mr. WISE asked the Minister representing the Chief Secretary: 1, Will he give consideration to replacing the costly lighted buoys used in Shark Bay, by installing permanent dolphins, which ultimately would be cheaper and at all time more suitable to the conditions prevailing? 2, Is he aware that grave doubts exist locally that the engineers' soundings of the approaches to the jetty at

Carnarvon are correct, inasmuch as the lead-line passes through a few feet of loose mud on to the hard bottom? 3, Is he aware that this loose mud, in interfering with the majority of vessels, is likely to cause a serious accident? 4, Will consideration be given to sending a dredge to assist in installing dolphins at Shark Bay, which dredge subsequently could be used to deepen the approaches to the jetty-end at Carnarvon.

The MINISTER FOR HEALTH replied: 1, The construction of dolphins is a very costly work, but the proposal will be taken up with the Public Works Department. 2, The last soundings of the water at the end of the Carnarvon jetty were taken by Mr. Stanley about six years ago. These then showed sufficient water satisfactorily to berth coastal vessels. The matter of fresh soundings will be taken up with the Public Works Department. 3, No, but some masters have made comments on the difficulty of approach. 4, If any work be decided upon, the best method of carrying out same would be considered by the Public Works Department.

QUESTION—OLD MEN'S HOME.

Hon. N. KEENAN asked the Minister for Health: 1, Were pensioners, residing at the Old Men's Home during last year, ended 30th June, 1933, charged a sum of twelve shillings and sixpence per head per week? 2, Did such charge exceed the actual cost per head per week? 3, If so, by how much? 4, Was such excess applied to meet the general expenses of the establishment? 5, Is food supplied free to any members of the staff? 6, Is the cost of such food included in the general expenses of the establishment? 7, Are patients sent from the public hospital to the hospital situate at the Old Men's Home for recuperation? 8, Do such patients receive a more expensive dietary than pensioners residing in the Old Men's Home? 9, Is the increased cost of such dietary included in the general expenses of the establishment? 10, Will he favourably consider an improvement in the dietary at present supplied to pensioners residing at the Old Men's Home at a cost representing the excess of the present charge over the actual cost per head for maintenance of each pensioner?

The MINISTER FOR HEALTH replied: 1, No; but in respect of most pensioners the pension authority pays the home direct a